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सं० 5] नई दिल्ली, जनवरी 29—फरवरी 4, 2006, शनिवार/माघ 9—माघ 15, 1927
No. 5] NEW DELHI, JANUARY 29—FEBRUARY 4, 2006, SATURDAY/MAGHA 9—MAGHA 15, 1927

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

संचार और सूचना प्रौद्योगिकी मंत्रालय

(सूचना प्रौद्योगिकी विभाग)

नई दिल्ली, 27 जनवरी, 2006

का. आ. 379.—केन्द्र सरकार एतद्वारा राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, सूचना प्रौद्योगिकी विभाग के अंतर्गत आने वाली डीओईएसीसी नामक स्वायत्त संस्था के एम.एम.एम. इंजीनियरिंग कॉलेज कैम्पस, गोरखपुर, उत्तर प्रदेश स्थित कार्यालय, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[सं. 7(2)/2005/हि.अ.]

बी.बी. बहल, संयुक्त निदेशक

MINISTRY OF COMMUNICATIONS AND
INFORMATION TECHNOLOGY

(Department of Information Technology)

New Delhi, the 27th January, 2006

S.O. 379.—In pursuance of Sub-Rule (4) of the Rule 10 of the Official Language (Use for official purposes

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of the Union) Rules, 1976, the Central Government hereby notifies the DOEACC centre, an autonomous society of the Department of Information Technology, located at M.M.M. Engineering College Campus, Gorakhpur, Uttar Pradesh, more than 80% staff whereof have acquired the working knowledge of Hindi.

[No. 7(2)/2005-H.S.]

B. B. BAHL, Jt. Director

(दूरसंचार विभाग)

(राजभाषा अनुभाग)

नई दिल्ली, 25 जनवरी, 2006

का. आ. 380.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 (यथा संशोधित 1987) के नियम 10(4) के अनुसरण में संचार और सूचना प्रौद्योगिकी मंत्रालय, दूरसंचार विभाग के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय को, जिसमें 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है।

(925)

महाप्रबंधक दूरसंचार, भारत संचार निगम लिमिटेड, नासिक
दूरसंचार जिला, नासिक-422002

केन्द्रीय तार कार्यालय, एन.डी. पटेल रोड, नासिक-422001

[सं. ई.-11016/1/2005 (रा.भा.)]

हरीश चन्द्र जयाल, संयुक्त सचिव

(Department of Telecommunications)

(Official Language Section)

New Delhi, the 25th January, 2006.

S.O. 380.—In pursuance of Rule 10(4) of the Official Language (Use for official purposes of the Union) Rules, 1976, (as amended -1987), the Central Government hereby notifies the following Office under the administrative control of Ministry of Communications and Information Technology, Department of Telecommunications whereof more than 80% of staff have acquired working knowledge of Hindi.

General Manager Telecom, BSNL, Nasik Telecom District, Nasik-422002

Central Telegraph Office, N.D. Patel Road, Nasik-422001

[No. E.-11016/1/2005-(O.L.)]

HARISH CHANDRA JAYAL, Jt. Secy.

विद्युत मंत्रालय

नई दिल्ली, 20 जनवरी, 2006

का.अ. 381.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में पावरग्रिड कारपोरेशन ऑफ इंडिया लि., गुडगांव के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालय को, जिनके 80 प्रतिशत कर्मचारीवृंद ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, एतद्वारा अधिसूचित करती है :

1. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
दक्षेपाप्र-1, 400 के.वी. हैदराबाद उप केंद्र,
पोस्ट बॉक्स नं. 2, घटकेसर-501 301 (आं. प्र.)
2. वैजाग एच.वी.डी.सी. स्टेशन एवं 400 के.वी. उप केंद्र,
पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
सेक्टर-10, उक्कु नगरम,
विशाखापट्टनम-530032 (आं. प्र.)
3. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
स्थल कार्यालय, 19 न्यू तहसील पुरा (कोका कोला चौक)
जी.टी. रोड अमृतसर (पंजाब)
4. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
कोराडी कार्यालय,
एमएसईबी कालोनी, गेट नं. 2,
क्वार्टर नं. 2, टाइप-4, सीपीआरआई कालोनी,
नागपुर-छिंदवाड़ा रोड,
कोराडी-441111
जिला : नागपुर (महाराष्ट्र)

5. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
बीना कार्यालय,
पोस्ट बॉक्स नं. 2,
बी 1, एमपीईबी काम्पलेक्स के पास,
खिमलासा रोड, ग्राम : धनौरा,
बीना-470113
जिला : सागर (मध्य प्रदेश)
6. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
सागर कार्यालय,
घर नं. सी-10,
सोनार इनक्लव, आनंद नगर,
रोड नं. 2, राजखेरी, मैक्रोनिया,
सागर-470002
(मध्य प्रदेश)
7. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
ग्वालियर कार्यालय,
जी 197, साइट नं. 2,
पटेल नगर, सिटी सेंटर,
ग्वालियर-474011
(मध्य प्रदेश)
8. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
बैतूल कार्यालय,
द्वारका नगर, बडोरा चौक,
पुलिस चौकी के सामने, नागपुर रोड,
बैतूल (मध्य प्रदेश)
9. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
शहडोल कार्यालय,
प्रथम मंजिल,
2/6, माइनिंग रोड, पांडव नगर,
शहडोल-484001
(मध्य प्रदेश)
10. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
राजगढ़ कार्यालय,
भंडारी सदन, राजेंद्र कालोनी,
राजगढ़, जिला : धार,
राजगढ़-454116 (मध्य प्रदेश)
11. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
परताबपुर कार्यालय,
मो. साकिब का मकान,
बस स्टैंड के पास,
परताबपुर,
जिला : सरगुजा (छत्तीसगढ़)
12. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
सीधी कार्यालय,
फ्लैट नं. 203/38, शास्त्री नगर,
सीधी (मध्य प्रदेश)

13. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
छिंदवाड़ा कार्यालय,
दीनदयाल पुरम रोड,
शिव सुंदरम नगर के पास,
छिंदवाड़ा-480001 (मध्य प्रदेश)
14. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
मंडला कार्यालय,
शिव मंगलम भवन,
स्वामी सीताराम वार्ड,
मंडला-481661 (मध्य प्रदेश)
15. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
भाटापारा कार्यालय,
घर नं. 83, हथनी पारा वार्ड,
रेलवे स्टेशन रोड,
डाकघर : भाटापारा-493118
जिला-रायपुर (छत्तीसगढ़)
16. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
अंबिकापुर कार्यालय,
प्रथम मंजिल, प्लॉट नं. 243/37,
विद्यानगर, सैक्टर-3,
दत्ता कालोनी, पीजी कॉलेज के सामने
अंबिकापुर-497 001
जिला-सरगुजा (छत्तीसगढ़)
17. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
कवर्धा कार्यालय,
दूसरी मंजिल, घर नं. 28,
प्रोफेसर कालोनी,
फॉरेस्ट डिपो के पास,
कवर्धा-491995 (छत्तीसगढ़)
18. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
आसोज कार्यालय,
400 के.वी. जीईबी सब स्टेशन कॉम्प्लेक्स,
पो. : अमलियारा,
हलोल रोड, वड़ोदरा-390022
जिला वड़ोदरा (गुजरात)
19. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
सूरत कार्यालय,
पिपलोड,
सूरत (गुजरात)
20. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
पुणे कार्यालय,
फ्लैट नं. 902, "ए" बिल्डिंग,
डी एस के चंद्रदीप सोसायटी,
मुकुंद नगर, पुणे-411037
21. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
वडोदरा निरीक्षण कार्यालय,
ई-107, प्रथम मंजिल,
वुंदावन टाउनशिप,
नागेश्वर महादेव टैंपल के सामने,
हारनी रोड,
वडोदरा-390006 (गुजरात)
22. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
पणजी (गोवा) डीएमएस कार्यालय,
प्रथम मंजिल, एफ-5,
जैराम कॉम्प्लेक्स,
नेउगी नगर,
पणजी-403001 (गोवा)
23. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
मडगांव (गोवा) डीएमएस कार्यालय,
प्लॉट नं. 26,
हाउसिंग बोर्ड, विद्यानगर,
गोगोई,
मडगांव-403601 (गोवा)
24. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
अहमदाबाद डीएमएस कार्यालय,
बी-3, सनराइज शापिंग सेंटर,
इंद्रप्रस्थ टावर के सामने,
ड्राइव इन रोड,
अहमदाबाद-380054 (गुजरात)
25. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
जामनगर डीएमएस कार्यालय,
फ्लैट नं. टी-1, 102 त्रिवेणी अपार्टमेंट्स,
पंचवटी, बेदी बंदर रोड,
जामनगर-361002 (गुजरात)
26. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
स्थल कार्यालय, 220/66 के.बी. उपकेंद्र,
मनी माजरा-किशनगढ़ रोड,
गांव किशनगढ़, मनी माजरा,
चंडीगढ़-160002
27. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
बी-1/30, सेक्टर-ए, अलीगंज,
लखनऊ-226020 (उ.प्र.)
28. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
220/132 के.बी. सब स्टेशन,
सितारगंज (उत्तरांचल)
29. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
बाईपास रोड, प्रगतिपुरम,
ऋषिकेश-249201 (उत्तरांचल)

30. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
481, आवास विकास कालोनी,
कचेहरी रोड, मिर्जापुर-231001 (उ.प्र.)
31. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
कार्यालय (निर्माण) कांकरौली,
साक्षी प्लाजा, सुंदर नगर,
भोलवाड़ा रोड, कांकरौली, राजसमद (राजस्थान),
पिन-313324
32. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
आरएपीपी-सी (निर्माण), उ.क्षे.-I,
2-न-4, दादाबाड़ी,
कोटा-324 009 (राजस्थान)
33. पावरग्रिड कारपोरेशन ऑफ इंडिया लि.,
28, सिविल लाइंस,
डा. बलदेव सिंह मार्ग,
रुड़की, हरिद्वार (उत्तरांचल)

[सं. 11017/5/2005-हिन्दी]

हरीश चन्द्र, संयुक्त सचिव

MINISTRY OF POWER

New Delhi, the 20th January, 2006

S.O. 381.—In pursuance Sub-Rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 the Central Government hereby notifies the following offices under the administrative control of Powergrid Corporation of India Ltd., Gurgaon, the staff whereof have acquired 80% working knowledge of Hindi :—

1. Powergrid Corporation of India Ltd.,
SRTS-1, 400 KV Hyderabad Sub-station,
Post Box No. 2, Ghatkapsar-501301 (A.P.)
2. Vizag HVDC Station & 400 KV Sub Station,
Powergrid Corporation of India Ltd.,
Sector-10, Ukku Nagaram,
Visakhapatnam-503 032 (A.P.)
3. Powergrid Corporation of India Ltd.,
Site Office, 19-New Tehsil Pura,
(Near Coca-Cola Chowk), G.T. Road,
Amritsar (Punjab).
4. Powergrid Corporation of India Ltd.,
Koradi Office,
MSEB Colony, Gate No.2,
Qtr. No. 2, Type IV, CPRI Colony,
Nagpur-Chhindwara Road,
Koradi-411 111
Distt. Nagpur (M.S.).
5. Powergrid Corporation of India Ltd.,
Bina Office, Post Box No. 2,
B-1, Near MPEB Complex,
Khimlasi Road, Village : Dhanora,
Bina-470 113, Distt. Sagar (M.P.)

6. Powergrid Corporation of India Ltd.,
Sagar Office, House No. C-10,
Sonar Enclave, Anand Nagar,
Road No. 2, Rajkheri, Makaroniya,
Sagar-470 002 (M.P.).
7. Powergrid Corporation of India Ltd.,
Gwalior Office,
G-197, Site No. 2,
Patel Nagar, City Centre.
8. Powergrid Corporation of India Ltd.,
Betul Office,
Dwarka Nagar, Badora Chowk,
Opp. Police Chowkee, Nagpur Road,
Betul (M.P.)
9. Powergrid Corporation of India Ltd.,
Shahdol Office,
1st Floor, 2/6 Mining Road,
Pandav Nagar,
Shahdol-484 001 (M.P.)
10. Powergrid Corporation of India Ltd.,
Rajgarh Office,
Bhandari Saran, Rajendra Colony,
Rajgarh, Distt. Dhar,
Rajgarh-454 116 (M.P.)
11. Powergrid Corporation of India Ltd.,
Partabpur Office,
House of Md. Sakib,
Near Bus Stand,
Pratabpur, Distt. Surguja (Chhattisgarh).
12. Powergrid Corporation of India Ltd.,
Sidhi Office,
Flat No. 203/38, Shastri Nagar,
Sidhi (M.P.)
13. Powergrid Corporation of India Ltd.,
Chindwara Office,
Din Dayal Puram Road,
Near Shivam Sundaram Nagar,
Chindwara-480 001 (M.P.)
14. Powergrid Corporation of India Ltd.,
Mandla Office,
Shiv Manglam Bhavan,
Swami Sitaram Ward,
Mandla-481 661 (M.P.)
15. Powergrid Corporation of India Ltd.,
Bhatapara Office,
House NO. 83, Hathni Para Ward,
Rly. Station Road,
Post Bhatapara-493 118
Distt. Raipur (Chhattisgarh).
16. Powergrid Corporation of India Ltd.,
Ambikapur Office,
1st Floor, Plot No. 243/37,
Vidhya Nagar, Sector-3,
Dutta Colony, Opp. PG College,
Ambikapur-497 001
Distt. Surguja (Chhattisgarh).

17. Powergrid Corporation of India Ltd.,
Kawardha Office,
2nd Floor, House No. 28,
Professor Colony,
Near-Forest Depot,
Kawardha-491 995 (Chhattisgarh).
18. Powergrid Corporation of India Ltd.,
Asoj Office,
400 K. V. GEB Sub-Station Complex,
P.O. Amaliara, Halol Road,
Vadodara-390 022,
Distt. Vadodara (Gujarat).
19. Powergrid Corporation of India Ltd.,
Surat Office,
Piplod, Surat (Gujarat).
20. Powergrid Corporation of India Ltd.,
Pune Office,
Flat No. 902, 'A' Building,
DSK Chandradeep Society,
Mukundnagar,
Pune-411 037 (Maharashtra).
21. Powergrid Corporation of India Ltd.,
Vadodara Inspection Office,
E-107, First Floor,
Vrindavan Township,
Opp. Nageshwar Mahadev Temple,
Harni Road,
Vadodara-390 006 (Gujarat).
22. Powergrid Corporation of India Ltd.,
Panaji (Goa) DMS Office,
1st Floor, F-5,
Jairam Complex,
Neugi Nagar,
Panaji-403 001 (Goa).
23. Powergrid Corporation of India Ltd.,
Madgaon (Goa) DMS Office,
Plot No. 26,
Housing Board,
Vidhya Nagar, Gogoi,
Madgaon-403 601 (Goa).
24. Powergrid Corporation of India Ltd.,
Ahmedabad DMS Office,
B-3, Sunrise Shopping Centre,
Opp. Indraprastha Tower,
Drive in Road,
Ahmedabad-380 054 (Gujarat).
25. Powergrid Corporation of India Ltd.,
Jamnagar DMS Office,
Flat No. T-1, 102, Triveni Apartments,
Panchwati, Bedi Bandar Road,
Jamnagar-361 002 (Gujarat).

26. Powergrid Corporation of India Ltd.,
Site Office 220/66 KV Sub-Station,
Mani Majra, Kishangarh Road,
Vill. Kishangarh, Manimajra,
Chandigarh-160 002.
27. Powergrid Corporation of India Ltd.,
B-1/30, Sector-A, Aliganj,
Lucknow-226 020 (UP).
28. Powergrid Corporation of India Ltd.,
220/132 KV Sub-Station,
Sitarganj (Uttaranchal).
29. Powergrid Corporation of India Ltd.,
By Pass Road, Pragatipuram,
Rishikesh-249 201 (Uttaranchal).
30. Powergrid Corporation of India Ltd.,
481, Avas Vikas Colony,
Katchehari Road, Mirzapur-231 001 (U.P.).
31. Powergrid Corporation of India Ltd.,
Office (Construction) Kankroli,
Sakshi Plaza, Sunder Nagar,
Bhilwada Road, Kankroli, Rajsamand (Raj.)
Pin-313 324.
32. Powergrid Corporation of India Ltd.,
RAPP (Construction), NR-I,
2 N 4, Dadabari,
Kota-324 009 (Rajasthan).
33. Powergrid Corporation of India Ltd.,
28, Civil Lines,
Dr. Baldev Singh Marg,
Roorki, Haridwar (Uttaranchal).

[No. 11017/5/2005-Hindi]

HARISH CHANDRA, Jt. Secy.

कृषि मंत्रालय

(कृषि एवं सहकारिता विभाग)

नई दिल्ली, 24 जनवरी, 2006

का. आ. 382.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में कृषि एवं सहकारिता विभाग, कृषि मंत्रालय के नियंत्रणाधीन स्वायत्त संगठन नारियल विकास बोर्ड, कोच्चि के निम्नलिखित कार्यालय को, जिसके 80% कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

राज्य केन्द्र,
नारियल विकास बोर्ड,
पी.आई.पी. रोड,
जंगलीघाट, पोर्टब्लेयर,
दक्षिण अन्डमान-744 103

[सं. 3-2/2002-हिन्दी नीति]

पी.के. जलाली, संयुक्त सचिव

MINISTRY OF AGRICULTURE**(Department of Agriculture and Cooperation)**

New Delhi, the 24th January, 2006.

S.O. 382.—In pursuance Sub-Rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following office of the Coconut Development Board, Cochin, an autonomous organisation under the control of the Department of Agriculture and Cooperation, Ministry of Agriculture, 80% Staff whereof have acquired the working knowledge of Hindi :—

State Centre,
Coconut Development Board,
VIP Road, Jungleghat,
Port Blair,
South Andaman-744103.

[No. 3-2/2002-Hindi Neeti]

P.K. JALALI, Jt. Secy.

वाणिज्य एवं उद्योग मंत्रालय**(वाणिज्य विभाग)****(पूर्ति प्रभाग)**

नई दिल्ली, 25 जनवरी, 2006

का. आ. 383.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, वाणिज्य एवं उद्योग मंत्रालय, वाणिज्य विभाग (पूर्ति प्रभाग) के निम्नलिखित कार्यालयों में हिन्दी का कार्यसाधक ज्ञान रखने वाले कर्मचारियों की संख्या 80% से अधिक हो जाने के फलस्वरूप इन कार्यालयों को एतद्वारा अधिसूचित करती है :—

1. उपनिदेशक (गुणता आश्वासन) का कार्यालय, पुराना आयकर कार्यालय परिसर, जी.पी.ओ. के सामने, इंदौर-452 001 (मध्य प्रदेश)
2. उपनिदेशक (गुणता आश्वासन) का कार्यालय, 128-ए पाटलिपुत्र कॉलोनी, पटना-13
3. निदेशक (गुणता आश्वासन) का कार्यालय, जवाहर सॉ मिल कंपाउंड, पहला तल, शाहपुर दरवाजा के बाहर, शाहपुर, अहमदाबाद-380 004
4. निदेशक (गुणता आश्वासन) का कार्यालय, "निजाम पैलेस" 234/4, आचार्य जगदीश चंद्र बसु मार्ग, कोलकाता-700 020

[फा. सं. ई-11016/6/2004-हिन्दी]

एम.वि.पि.सि. शास्त्री, संयुक्त सचिव

MINISTRY OF COMMERCE AND INDUSTRY**(Department of Commerce)****(SUPPLY DIVISION)**

New Delhi, the 25th January, 2006

S.O. 383.—In pursuance of Sub-rule (4) of Rule 10 of Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notify the following offices of the Ministry of Commerce and Industry, Department of Commerce (Supply Division), where more than 80% of Staff have acquired working knowledge of Hindi :—

1. Office of Deputy Director (Quality Assurance), Old Income Tax Office Campus, Opp. G.P.O. Indore-452 001 (MP)
2. Office of Deputy Director (Quality Assurance), 128-A, Patliputra Colony, Patna-13
3. Office of the Director (Quality Assurance), Jawahar Saw Mill Compound, 1st Floor, Outside Shahpur Gate, Shahpur, Ahmedabad-380 004.
4. Office of Deputy Director (Quality Assurance) "Nizam Palace" 234/4, Acharya Jagdish Chandra Basu Road, Kolkata-700 020.

[F. No. E-11016/6/2004-Hindi]

M.V.P.C. SASTRY, Jt. Secy.

अन्तरिक्ष विभाग

बेंगलूर, 24 जनवरी, 2006

का. आ. 384.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में, एतद्वारा अन्तरिक्ष विभाग की राष्ट्रीय सुदूर संवेदन एजेन्सी, बालानगर, हैदराबाद को अधिसूचित करती है, जिसके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है।

[फा. सं. 8/1/6/2006-VI]

मो. इक्रामुल्ला, अवर सचिव

DEPARTMENT OF SPACE

Bangalore, the 24th January, 2006

S.O. 384.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies National Remote Sensing Agency, Balanagar, Hyderabad under the Department of Space where more than 80 per cent staff have acquired the working knowledge of Hindi.

[No. 8/1/6/2006-VI]

Md. IKRAMULLA, Under Secy.

उपभोक्ता कार्य एवं लोक वितरण मंत्रालय

(उपभोक्ता कार्य विभाग)

(भारतीय मानक ब्यूरो)

नई दिल्ली, 20 जनवरी, 2006

का. आ. 385.—भारतीय मानक ब्यूरो, भारतीय मानक ब्यूरो (प्रमाणन) विनियमन 1988 के विनियमन 5 के उप विनियमन (6) के आधार पर निम्नलिखित विवरण के लाइसेन्सों का, उनके सामने दी गई तारीखों से रद्दीकरण :

अनुसूची

क्रम. लाइसेन्स संख्या सं.	लाइसेन्सी का नाम व पता	रद्द लाइसेन्स द्वारा आवृत्त संगल भारतीयमान के साथ वस्तु/प्रक्रम	रद्दीकरण की तारीख
1	2	3	4
1. 6101137	प्रमियर हाई-टेक, इंडस्ट्रीज प्राइवेट लिमिटेड, यूनिट-2, एस.एफ. नं. 35/2, पारी नगर, सुंगम बै पास रोड, पुलियकुलम विलेज, कोयम्बतूर-641 045	अपकेन्द्रीय जेट पम्प भा.मा. : 12225 : 1997	2004-10-26
2. 6311653	ए.आर. इन्डस्ट्रीज, नं. 42-ए, पांचवा क्रॉस, तण्णीर पेन्दल, पीलमेडु, कोयम्बतूर-641 004	साफ ठंडे पानी के लिए अपकेन्द्रीय उपनरुत्पादक पम्प भा मा : 8472 : 1998	2004-10-28
3. 6351362	पेंग्विन मिनरल वाटर्स प्राइवेट लिमिटेड डोर नं. 28, लेनिन स्ट्रीट, सुरांपट्टी ईरोड-638 009	पैकेज बन्द पेयजल भा.मा. 14543 : 2004	2005-08-29

[सं. सीएमडी/13 : 13]

एस.एम. भाटिया, उप महानिदेशक (मुहर)

MINISTRY OF CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

(Department of Consumer Affairs)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 20th January, 2006

S.O. 385.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies that the licence particulars of which are given below have been cancelled with effect from the date indicated against each.

SCHEDULE

Sl. No.	Licence No.	Name and Address of the Licensee	Article/Process with relevant Indian Standard covered by the licence cancelled	Date of cancellation
1	2	3	4	5
1.	6101137	Premier Hi-Tech Industries Private Limited, Unit-2 SF No. 35/2, Paari Nagar, Sungam Bye Pass Road, Puliakulam Village, Coimbatore-641 045.	Centrifugal Jet Pumps, IS 12225 : 1997	2004-10-26
2.	6311653	A.R. Industries, 42-A5 th Cross, Tanneer Pandal, Peelamedu, Coimbatore-641004	Centrifugal regenerative pumps for clear, cold water, IS 8472 : 2004	2004-10-28
3.	6351362	Penguin Mineral Waters (P) Ltd., Door No. 28, Lenin Street, Surampatti, Erode (Dt.)-638 009	Packaged drinking water IS 14543 : 2004	2005-08-29

[No. CMD-13 : 13]

S. M. BHATIA, Dy. Director General (Marks)

नई दिल्ली, 24 जनवरी, 2006

का.आ. 386.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :—

अनुसूची

क्रम. संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
1	2	3	4
1.	आई.एस. 15612 (भाग 1) : 2005 वस्त्रादि-पदों और ड्रैपों का ज्वलन व्यवहार भाग 1 वर्गीकरण योजना	—	30 जनवरी 2006
2.	आई एस 15612 (भाग 3) : 2005 वस्त्रादि-पदों और ड्रैपों का ज्वलन व्यवहार भाग 3 टंगे नमूनों की ज्वलनशीलता ज्ञात करने की पद्धति (छोटी ज्वाला)	—	30 जनवरी, 2006
3.	आई एस 15612 (भाग 3) : 2005 वस्त्रादि-पदों और ड्रैपों का ज्वलन व्यवहार भाग 4 टंगे नमूनों की ज्वलनशीलता ज्ञात करने की पद्धति	—	30 जनवरी, 2006

इन भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पुणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. टीएक्सडी/जी-25]

एम. एस. वर्मा, निदेशक एवं प्रमुख (टीएक्सडी)

New Delhi, the 24th January, 2006

S.O. 386.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No. and Year of the Indian Standards Established No.	No. & year of Indian Standards, if any, Superseded by the New Indian Standard	Date of Established
1	2	3
1.	IS 15612 (Part 1) : 2005 Textiles—Burning Behaviour of curtains and Drapes Part 1 Classification Scheme.	— 30 January, 2006
2.	IS 15612 (Part 3) : 2005 Textiles—Burning Behaviour of Curtains and Drapes Part 3 Method for Determining the ignitability of Vertically Oriented Specimens (Small Flame).	— 30 January, 2006
2.	IS 15612 (Part 4) : 2005 Textiles—Burning Behaviour of Curtains and Drapes Part 4 Method for Determining the Flame Spread of Vertically Oriented Specimens	— 30 January, 2006

Copy of these Standards are available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[No. TXD/G-25]

M. S. VERMA, Director & Head (Textiles)

नई दिल्ली, 24 जनवरी, 2006

का. आ. 387.—भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिये गये मानक (को) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम. संशोधित भारतीय मानक की संख्या और वर्ष संख्या	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
1	2	3
1. आई. एस. 3750 : 1993	संशोधन संख्या 1 दिसम्बर 2005	30 जनवरी 2006

इस संशोधन प्रति भारतीय मानक ब्यूरो, मानक भवन, 9 बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. टीएक्सडी/जी-25]

एम. एस. वर्मा, निदेशक एवं प्रमुख (टीएक्सडी)

New Delhi, the 24th January, 2006

S.O. 387.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that amendments to the Indian Standards, particulars of which are given in the Schedule hereto annexed have been issued :

SCHEDULE

Sl. No. & Year of the Indian Standards No.	No. & year of the amendment	Date from which the amendment shall have effect
1	2	3
I. IS 3750 : 1993	Amendment No. I December, 2005	30 January, 2006

Copy of this Amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[No. TXD/G-25]

M.S. VERMA, Director & Head (Textiles)

नई दिल्ली, 24 जनवरी, 2006

का. आ. 388.—भारतीय मानक ब्यूरो के भारतीय मानक ब्यूरो (प्रमाणन) विनियमन 1988 के विनियमन 5 के उपविनियमन (6) के तहत यह अधिसूचित किया जाता है कि निम्नलिखित ब्यूरो वाले लाइसेंस, उनके सामने दी गई तारीखों से, रद्द किए जाते हैं :—

अनुसूची

क्र.सं.	लाइसेंस नम्बर	लाइसेंस वाले का नाम/पता	समयबाधित लाइसेंस द्वारा आवृत्त वस्तु/प्रक्रिया के साथ संगत भारतीय मानक	समय-बाधित तारीख
(1)	(2)	(3)	(4)	(5)
1.	0727351	दंडायुद्ध पाणि फाउंडरी प्राइवेट नं. 131/4-13, विलानकुरिच्यो, कोयम्बतूर-641035	साफ ठंडे पानी के लिए क्षैतिजिक अपकेन्द्रीय पंप- भाग-I, कृषि एवं ग्रामीण जल आपूर्ति के लिए भा मा: 6595 (भाग-1) : 2002.	2005-10-31

(1)	(2)	(3)	(4)	(5)
2.	0943054	गीतांजली निटिंग मिल्स, के.पो.पो. गार्डन, कॉंगू मेइन रोड, तिरुप्पुर-641 607.	वस्त्रादि-सादी (सिंगल जर्सी) बुनी (निट्टेड) सूती बनियान भा मा: 4964 : 2003.	2005-04-28
3.	6456881	वी-गार्ड इंडस्ट्रीज प्राइवेट नं. एन.एच. 47, पालक्काड मेइन रोड, के. जी. चावडि, कोयम्बतूर-641 015.	सौर सपाट पट्टिका संग्राहक भा मा: 12933 (भाग:) 2003.	2005-05-14
4.	6462472	के.आर. इंडस्ट्रीज, नं. 359-ए, नन्नुंडापुरम, कोयम्बतूर-641 036.	मोनोसेट पम्पस भा मा : 9079 : 1989	2005-10-12
5.	6463979	चित्रा इंजीनियरिंग वर्क्स नं. 515-ए, अविनाशी रोड, पोलमेडू वेस्ट, कोयम्बतूर-641 004.	साफ ठंडे पानी के लिए अपकेन्द्रीय पुनरुत्पादक पंप, भा मा : 8472 : 1998.	2005-08-05
6.	6465377	श्री रवि इंडस्ट्रीज, नं. 73, करमण्णा गाउंडर लेआउट, वी.के. रोड, पोलमेडू, कोयम्बतूर-641 004.	साफ ठंडे पानी के लिए अपकेन्द्रीय पुनरुत्पादक, भा मा : 8472 : 1998.	2005-11-14
7.	1101415	दि कर्नाटका निटिंग कंपनी, नं. 268, अविनाशी रोड, पोस्ट बाक्स नं.-252, तिरुप्पुर-641 602.	वस्त्रादि-सादी (सिंगल जर्सी) बुनी (निट्टेड) सूती बनियान भा मा : 4964 : 2003.	2005-10-01
8.	1380546	स्टोआ गार्मेंट्स, नं. 21/30, तट्टान तोट्टम, कामराज रोड, तिरुप्पुर-641 604.	वस्त्रादि-सादी (सिंगल जर्सी) बुनी सूती बनियान भा मा : 4964 : 2003.	2005-04-28
9.	1639561	प्रमियर हाइटेक इंडस्ट्रीज प्राइवेट लि. एस. एफ. नं. 35/2, पारी नगर, सुंगम बाईपास रोड, पुलियकुलम विलेज, कोयम्बतूर-641 045.	मोनोसेट पम्पस, भा मा : 9079 : 1989	2004-12-18
10.	2082442	ऊँ मुरगन इंडस्ट्रीज, नं. 11 व 12, रामकृष्णपुरम, गणपति (पोस्ट), कोयम्बतूर-641 006.	मोनोसेट पम्पस भा मा : 9079 : 1989	2005-01-12
11.	2199160	दि एल.पी.एम. इंडस्ट्रीज, नं. 127, नव इंडिया रोड, के.आर. पुरम, कोयम्बतूर-641 006.	अपकेन्द्रीय जेट पम्प, भा मा : 12225 : 1997	2005-02-16

(1)	(2)	(3)	(4)	(5)
12.	2205634	संतोष कुमार इंडस्ट्रीज, पोस्ट बाक्स नं.-6406, शान्ति नगर, के. के. पुद्दूर पोस्ट, कोयम्बतूर-641 038.	मोनोसेट पम्पस भा मा : 9079 : 1989	2005-10-12
13.	6022141	डेक्कान इंडस्ट्रीज यूनिट-11, नं. 43, बी भारती नगर, गणपति, कोयम्बतूर-641 006.	निमज्जनीय पम्पसेट्स भा मा : 8034 : 2002	2005-08-31
14.	6023042	नारायण इंडस्ट्रीज, नं. 5-सी, वल्लुवर नगर, पोलमेडु, कोयम्बतूर-641 004.	सिंगल पेज छोटी एसी व युनिवर्सल बिजली के के मोटर भा मा : 996 : 1979	2004-10-15
15.	6024448	डेक्कान इंडस्ट्रीज यूनिट-11, नं. 43-बी, भारती नगर, गणपति, कोयम्बतूर-641 006.	निमज्जनीय पम्पसेट के मोटर, भा मा : 9283 : 1995	2005-10-21
16.	6084264	टर्बो इंडस्ट्रीज, नं. 67/1, नेहरू नगर ईस्ट, अविनाशी रोड, सिविल एरोड्राम पोस्ट, कालेपट्टी विलेज, कोयम्बतूर-641 014.	साफ ठंडे पानी के लिए अपकेन्द्रीय निमज्जनीय पम्प, भा मा : 8472 : 1998	2005-10-31
17.	6157669	सी आर आई पम्पस प्राइवेट लिमिटेड, नं.122-बी, अतिपालयम रोड, चिन्नवेल्लमपट्टी, गणपति, कोयम्बतूर-641 006.	त्रिपेजीय प्रेरण मोटरें भा मा : 325 : 1996	2005-11-21
18.	6183266	गंगा इंजीनियरिंग वर्क्स, नं. 60/2-सी, मारुति नगर, शोभा नगर, कोयम्बतूर-641 006.	निमज्जनीय पम्पसेट के मोटर, भा मा : 9283 : 1995	2005-10-21
19.	6207153	श्री रेणुका इंडस्ट्रीज, नं. 49-ए, गिरयम्पन कोइल, स्ट्रीट नं.-1, पोलमेडु, कोयम्बतूर-641 004.	मोनोसेट पम्प, भा मा : 9079 : 1989	2005-02-28
20.	6219362	गंगा इंजीनियरिंग वर्क्स, नं. 60/2-सी, मारुति नगर, शोभा नगर, कोयम्बतूर-641 006.	गहरे कुओं के निमज्जनीय भा मा : 14220 : 1994	2005-07-21
21.	6224860	गंगा इंजीनियरिंग, वर्क्स, नं. 60/2-सी, मारुति नगर, शोभा नगर, कोयम्बतूर-641 006.	साफ ठंडे पानी के लिए अपकेन्द्रीय पुनरुत्पादक, पम्प, भा मा : 8472 : 1998	2005-09-29

(1)	(2)	(3)	(4)	(5)
22.	623461	लाइट कंटेनर्स प्राइवेट लिमिटेड, एस.एफ. नं. 135/2-बी, नं. 135/2-सी, 135/3-बी, इरगूर विलेज, रावुत्तर रोड, पल्लडम तालुक, कोयम्बतूर-641103.	अल्प दाब द्रवणीय गैसों के लिए 5 लीटर से अधिक जलक्षमता वाले वेल्डित अल्प कार्बन इस्पात के सिलिन्डर भाग : 1 द्रवित पेट्रोलियम, गैस के लिए सिलिन्डर, भा मा : 3196 : भाग-1, 1992.	2005-10-12
23.	6255871	डेल्टन इन्डस्ट्रीज, नं. 103-ए, शिव शक्ति कालोनी, गणपति, कोयम्बतूर-641 006.	मोनो सेट पम्पस, भा मा : 9079 : 1989	2005-02-15
24.	6265571	केस्केड इलेक्ट्रोथर्मिक्स प्रा.लि. नं. 3, केस्केड लेआउट, लूना नगर, कोयम्बतूर-641 025.	बिजली के इन्स्टेंट वाटर हीटर, भा मा : 8978 : 1992	2005-07-04
25.	6296077	आल्फा इंजीनियरिंग इंडस्ट्रीज, नं. 2-ए, छठा क्रास बी.के. रोड, तण्णोर पेन्दल, पोलमेडू, कोयम्बतूर-641 004.	अपकेन्द्रीय जेट पम्प, भा मा : 12225 : 1997	2004-11-30
26.	6327466	बी. एस. जी. इंजीनियरिंग इंडस्ट्रीज, नं. 7, आवारमपालयम रोड, गणपति, कोयम्बतूर-641 006.	निमज्जनीय पंपसेट, भा मा : 8034 : 2002	2005-05-31
27.	6328367	कृष्णा इंजीनियरिंग, नं. 389, मारियम्मन कोइल स्ट्रीट, पोलमेडू, पुदूर, कोयम्बतूर-641 004.	मोनोसेट पम्पस, भा मा : 9079 : 1989	2005-10-12
28.	6329672	कृष्णा इंजीनियरिंग, नं. 389, मारियम्मन कोइल स्ट्रीट, पोलमेडू, पुदूर, कोयम्बतूर-641 004.	अपकेन्द्रीय जेट पम्प, भा मा : 12225 : 1997	2005-07-04
29.	6351463	हाइटैक पम्पस, नं. 258, डॉ. अम्बेडकर रोड, वेलण्डिपालयम, कोयम्बतूर-641 025.	अपकेन्द्रीय जेट पम्प, भा मा : 12225 : 1997	2005-10-01
30.	6362367	भरणी पम्पस, नं. 36, कस्तूरी निलयम, आवारमपालयम, कोयम्बतूर-641 006.	निमज्जनीय पम्पसेट, भा मा : 8034 : 2002	2004-12-01

(1)	(2)	(3)	(4)	(5)
31.	6365575	बरानी इंडस्ट्रीज, नं./38, 39 रामाकृष्णापुरम, गणपति पोस्ट, कोयम्बतूर-641006.	अपकेन्द्रीय जेट पम्प, भा मा : 12225 : 1997	2005-02-15
32.	6375881	सुगुणा मेशीन वर्क्स प्राइवेट लिमिटेड, नं./31, सिडको इंडस्ट्रीयल एस्टेट, कुरिच्चो, कोयम्बतूर-641021.	निमज्जनीय पम्पसेट, भा मा : 8034 : 2002	2005-03-15
33.	6386179	कोवै वाटर्स एंड कम्पनी, नं./109, गांधी नगर, तिरुप्पुर रोड, ईरोड-638701.	पैकेजबंद पेयजल, भा मा : 14543 : 2004	2005-06-06
34.	6390574	सेल्वो फूड प्राइवेट्स, एस.एफ. नं./1128/5, तण्णीर पन्दल, पुदूर रोड, ओट्टुकुतिरै, के. मेट्टुपालयम पोस्ट, गोबोचेट्टिपालयम-638455.	बिस्कुट्स, भा मा : 11011 : 2002	2005-06-15
35.	6398489	शार्प इंडस्ट्रीज, डोर नं./7/61, पार्ट, नार्थ-साउथ रोड, एस एफ नं./740/ई, कोयम्बतूर-641014.	निमज्जनीय पम्पसेट, भा मा : 8034 : 2002	2005-06-16
36.	6432059	गरुवाडि इंजीनियरिंग वर्क्स, नं./101-बी, इलंगो नगर, आवारमपालयम, गणपति, कोयम्बतूर-641006.	साफ ठंडे पानी के लिए पुनरुत्पादक, अपकेन्द्रीय पम्पस, भा मा : 8472 : 1998	2005-02-09

[सं. सी एम डी-1/13:13]

एस. एम. भाटिया, उप महानिदेशक (मुहर)

New Delhi, the 24th January, 2006

S.O. 388.—In pursuance of sub-regulation (6) of regulation 5 of the Bureau of Indian Standards (Certification) Regulations 1988, the Bureau of Indian Standards, hereby notifies that the licence particulars of which are given below have been cancelled with effect from the date indicated against each.

SCHEDULE

Sl. No.	Licence No.	Name and Address of the Licensee	Article/Process with relevant Indian Standard covered by the licence expired	Date of Expiry
1	2	3	4	5
1.	0727351	Dhandayuthapani Foundry Pvt. Ltd., 131/4-B, Vilankurichi Road, Coimbatore-641 035	Horizontal Centrifugal Pumps for Clear, Cold Water—Part 1 : Agricultural and Rural Water Supply Purposes IS 6595 (Part 1) : 2002	2005-10-31

1	2	3	4	5
2.	0943054	Geetanjali Knitting Mills K.P.P. Garden, Kongu Main Road, Tirupur-641 607	Textiles-Vests, Cotton, plain (single jersey) knitted, IS 4964 : 2003	2005-04-28
3.	6456881	V-Guard Industries Pvt. Ltd., N.H. 47, Palakkad Main Road, K.G. Chavadi, Coimbatore-641 105	Solar flat plate collector IS 12933 (Part I) : 2003	2005-05-14
4.	6462472	Kay Arr Industries 359-A, Najundapuram, Coimbatore-641 036	Monoset Pumps IS 9079 : 1989	2005-10-12
5.	6463979	Chithra Engineering Works 515-A, Avinashi Road, Peelamedu West, Coimbatore-641 004	Centrifugal regenerative pumps for clear, cold water IS 8472 : 1998	2005-08-05
6.	6465377	Sri Ravi Industries 73, Karupanna Gowder Lay Out, V.K. Road, Peelamedu, Coimbatore-641 004	Centrifugal regenerative pumps for clear, cold water IS 8472 : 1998	2005-11-14
7.	1101415	The Carnataka Knitting Company 268, Avinashi Road, P.B. No. 252 Tirupur-641 602	Textiles-Vests, Cotton, plain (single jersey) knitted IS 4964 : 2003	2005-10-01
8.	1380546	Stowa Garments 21/30, Thattan Thottam, Kamraj Road, Tirupur-641 604	Textiles-Vests, Cotton, Plain (Single Jersey) Knitted IS 4964 : 2003	2005-04-28
9.	1639561	Premier Hi-Tech. Industries Private Limited Unit-2 SF No. 35/2 Paari Nagar, Sungam Bye Pass Road, Puliakulam Village, Coimbatore-641 045	Monoset Pumps IS 9079 : 1989	2004-12-18
10.	2082442	Om Murugan Industries 11 & 12 Ramakrishnapuram, Ganapathy (P.O.), Coimbatore-641 006	Monoset Pumps IS 9079 : 1989	2005-01-12
11.	2199160	The El. P. Em. Industries 127, Nava India Road, K.R. Puram, Coimbatore-641 006	Centrifugal jet pump IS 12225 : 1997	2005-02-16
12.	2205634	Santoshkumar Industries P.B. No. 6406 Shanti Nagar K.K. Pudur Post, Coimbatore-641 006	Monoset Pumps IS 9079 : 1989	2005-10-12
13.	6022141	Deccan Industries Unit II 43B, Bharathi Nagar, Near FCI Road, Ganapathy, Coimbatore-641 006	Submersible Pumpsets IS 8034 : 2002	2005-08-31

1	2	3	4	5
14.	6023042	Narayan Industries 5-C, Valluvar Nagar, Kamaraj Road, Peelamedu, Coimbatore-641 004	Single-phase small ac and universal electric motors IS 996 : 1979	2004-10-15
15.	602448	Deccan Industries Unit II 43B, Bharathi Nagar, Near FCI Road, Ganapathy, Coimbatore-641 006	Motors for Submersible Pumpsets IS 9283 : 1995	2005-10-21
16.	6084264	Turbo Industries 67/1 Nehru Nagar East, Avinashi Road, Civil Aerodrome Post, Kalapatti Village, Coimbatore-641 014	Centrifugal regenerative pumps for clear, cold water IS 8472 : 1998	2005-10-31
17.	6157669	CRI Pumps Private Limited 122-B, Athipalayam Road, Chinnavedampatti, Ganapathy, Coimbatore-641 006	Three Phase induction motors IS 325 : 1996	2005-11-21
18.	6183266	Ganga Engineering Works 60/2-C, Maaruthi Nagar, Shoba Nagar, Coimbatore-641 006	Motors for Submersible Pumpsets IS 9283 : 1995	2005-10-21
19.	6207153	Sri Renuka Industries 49-A, Giriamman Koil Street No. 1, Peelamedu, Coimbatore-641 004	Monoset Pumps IS 9079 : 1989	2005-02-28
20.	6219362	Ganga Engineering Works 60/2C, Maruthi Nagar, Shoba Nagar, Coimbatore-641 006	Openwell Submersible Pumpsets IS 14220 : 1994	2005-07-21
21.	6224860	Ganga Engineering Works 60/2C, Marruthi Nagar, Shoba Nagar, Coimbatore-641 006	Centrifugal regenerative pumps for clear, cold water IS 8472 : 1998	2005-09-29
22.	6235461	Lite Containers Pvt. Limited SF No. 135/2B, 135/2C, 135/3B, Irugur Village, Ravathur Road, Palladam Taluk, Coimbatore-641 103	Welded Low Carbon Steel Cylinders Exceeding 5 Litre Water Capacity for Low Pressure Liquefiable Gases —Part I : Cylinders for liquefied Petroleum Gases (LPG), IS 3196 : Part I : 1992	2005-10-12
23.	6255871	Delton Industries 103-A, Siva Sakti Colony, Ganapathy, Coimbatore-641 006	Monoset Pumps IS 9079 : 1989	2005-02-15
24.	6265571	Cascade Electrothermics Private Limited, No. 3, Cascade Layout, Luna Nagar, Coimbatore-641 025	Electric instantaneous water heaters IS 8978 : 1992	2005-07-04

1	2	3	4	5
25.	6296077	Alfaa Engineering Industry No. 2A, 6th cross, V.K. Road, Thaneer Pandal, Peelamedu Coimbatore-641 004	Centrifugal jet pump IS 12225 : 1997	2004-11-30
26.	6327466	V. S. G. Engineering Industries 7, Avarampalayam Road, Ganapathy, Coimbatore-641 006	Submersible Pumpsets IS 8034 : 2002	2005-05-31
27.	6328367	Krishna Engineering 389, Mariamman Koil Steet, Peelamedu Pudur, Coimbatore-641 004	Monoset Pumps IS 9079 : 1989	2005-10-12
28.	6329672	Krishna Engineering 389, Mariamman Koil Stee, Peelamedu Pudur, Coimbatore-641 004	Centrifugal jet pump IS 12225 : 1997	2005-07-04
29.	6351463	Hiteck Pumps 258, Dr. Ambedkar Road, Velandipalayam, Coimbatore-641 025	Centrifugal jet pump IS 12225 : 1997	2004-10-01
30.	6362367	Bharani Pumps 36-Kasturi Nilayayam, Avarampalayam, Coimbatore-641 006	Submersible Pumpsets IS 8034 : 2002	2004-12-01
31.	6365575	Barani Industries 38, 39, Ramakrishnapuram, Ganapathy (P.O.), Coimbatore-641 006	Centrifugal jet pump IS 12225 : 1997	2005-02-15
32.	6375881	Suguna Machine Works Pvt. Limited, 31, Sidco Industrial Estate, Kurichi, Coimbatore-641 021	Submersible Pumpsets IS 8034 : 2002	2005-03-15
33.	6386179	Kovai Waters & Co. 109, Gandhi Nagar, Tirupur Road, Erode-638 701	Packaged Drinking Water IS 14543 : 2004	2005-06-06
34.	6390574	Selvi Food Products SF No. 1128/5, Thaneer Pandhal-Pudur Road, Othakuthirai, K. Mettupalayam (P.O.), Gobichettipalayam-638 455	Biscuits IS 1011 : 2002	2005-06-15
35.	6398489	Sharp Industries Door No. 7/61 Part, Goldwins, North-South Road, SF No. 740/-E, Part Of Kalapatty Village, Coimbatore North Taluk, Coimbatore-641 014	Submersible Pumpsets IS 8034 : 2002	2005-06-16
36.	6432059	Guruvadi Engineering Works 101-B, Elango Nagar, Avarampalayam, Ganapathy, Coimbatore-641 006	Centrifugal regenerative pumps for clear, cold water IS 8472 : 1998	2005-02-09

[No.: CMD-1/13: 13]

S.M. BHATIA, Dy. Director General (Marks)

नई दिल्ली, 24 जनवरी, 2006

का.आ. 389.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
1	2	3	4
1.	आई एस 3043 : 1987	01 जनवरी 2006	31 जनवरी 2006

इस भारतीय संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. ईटी 20/टी-6]

पो.के. मुखर्जी, वैज्ञानिक एफ एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 24th January, 2006

S.O. 389.— In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards, hereby notifies that amendment to the Indian Standards, particulars of which are given in the Schedule hereto annexed has been issued :

SCHEDULE

Sl.No.	No. & year of the Indian Standards	No. & year of the Amendment	Date from which the Amendment shall have effect
1	2	3	4
1.	IS 3043 : 1987 Code of Practice for earthing	01 January 2006	31 January 2006

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-I 10002 and Regional Offices: New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices: Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[No. ET 20/T-6]

P.K. MUKHERJEE, Sc. 'F' & Head (Electro Technical)

नई दिल्ली, 24 जनवरी, 2006

का.आ. 390.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उप नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि नीचे अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :—

अनुसूची

क्रम संख्या	संशोधित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
1	2	3	4
1.	आई एस 13032 : 1991 1000 वो से अनाधिक वोल्टता के लिए एसी लघु-परिपथ-वियोजक बोर्ड-विशिष्ट	01 जनवरी, 2006	31 जनवरी, 2006

इस भारतीय संशोधन की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. ईटी 20/टी-6]

पो.के. मुखर्जी, वैज्ञानिक एफ एवं प्रमुख (विद्युत तकनीकी)

New Delhi, the 24th January, 2006

S.O. 390.—In pursuance of clause (b) of Rules (1) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards, hereby notified that amendment to the Indian Standards, particulars of which are given in in the Schedule hereto annexed has been issued :

SCHEDULE

Sl.No.	No. & year of the Indian Standards	No. & year of the amendment	Date from which the amendment shall have effect
1	2	3	4
1.	IS 13032 : 1991 AC Miniature circuit-breaker boards for voltages not exceeding 1000 V —Specification	01 January, 2006	31 January, 2006

Copy of this Amendment is available with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[No. ET 01/T-35]

P.K. MUKHERJEE, Sc. 'F' & Head (Electro Technical)

नई दिल्ली, 24 जनवरी, 2006

का.आ. 391.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	आई एस 11630 : 2005—दाब पात्रों और विशेष अनुप्रयोगों के लिए इस्पात प्लेटों की पराश्रव्य परीक्षण की पद्धति (पहला पुनरीक्षण)	आई एस 11630 : 1986	31 दिसम्बर, 2005

इस भारतीय मानक की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों : अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. एम.टी.डी. 21/टी-69]

एस. के. गुप्ता, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

New Delhi, the 24th January, 2006

S.O. 391.—In pursuance of clause (b) of sub-Rules (1) of Rules (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of Indian Standards, if any, superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 11630 : 2005—Method for ultrasonic testing of steel plates for pressure vessels and special applications (First Revision)	IS 11630 : 1986	31 December, 2005

Copy of this Standard is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi-110002 and Regional Offices : New Delhi, Kolkata Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneshwar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune, Thiruvananthapuram.

[No. MTD 21/T-69]

S. K. GUPTA, Sc. 'F' & Head (MTD)

नई दिल्ली, 25 जनवरी, 2006

का.आ. 392.— भारतीय मानक ब्यूरो नियम 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं:—

अनुसूची

क्रम संख्या	स्थापित भारतीय मानक(कों) की संख्या वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	15022-1 : 1999 प्रतिभूतियां—संदेशों की योजना (आंकड़ा कार्यक्षेत्र कोश) : भाग 1 आंकड़ा कार्यक्षेत्र और संदेश डिजाइन नियम एवं दिशानिर्देश	—	नवम्बर, 2005
2.	आई एस 15587 (Part 2) : 2005/आई एस ओ 15022-2 : 1999 प्रतिभूतियां—संदेशों की योजना (आंकड़ा कार्यक्षेत्र कोश) : भाग 2 आंकड़ा कार्यक्षेत्र कोश और संदेश कैटलॉग का रख-रखाव	—	नवम्बर, 2005
3.	आई एस 15586 : 2005/आई एस ओ 10962 : 1999 प्रतिभूतियां—वित्तीय प्रपत्रों का वर्गीकरण (सीएफआई कोड)	—	दिसम्बर, 2005
4.	आई एस 12 : 2005 भारतीय मानकों के मसौदे तैयार करने और उनकी प्रस्तुति की मार्गदर्शिका (चौथा पुनरीक्षण)	आई एस 12 : 1988	दिसम्बर, 2005

इन भारतीय मानकों की प्रतियां भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुरशाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों, नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

[सं. एम एस डी/जी-8]

प्रवीण कुमार गंधीर, वैज्ञानिक 'एफ' एवं प्रमुख (प्रबन्ध एवं तंत्र)

New Delhi, the 25th January, 2006

S.O. 392.—In pursuance of clause (b) of sub-rule (1) of Rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl. No.	No. and year of the Indian Standards Established	No. and year of Indian Standards, if any, superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	IS 15587 (Part I) : 2005/ISO 15022-1:1999 'Securities—Scheme for message (Data Field Dictionary) : Part I Data field and message design rules and guidelines'	—	November, 2005
2.	IS 15587 (Part 2) : 2005/ISO 15022-2:1999 'Securities—Scheme for message (Data Field Dictionary) : Part 2 Maintenance of the Data field and Dictionary and catalogue of messages	—	November, 2005
3.	IS 15586: 2005/ISO 10962:1999 'Securities—Classification of Financial Instruments. (CFI Code)	—	December, 2005
4.	IS 12 : 2005 Guide for drafting and presentation of Indian Standards (Fourth Revision)	IS 12 : 1988	December, 2005

Copies of above Standards are available for sale with the Bureau of Indian Standards, Manak Bhawan, 9 Bahadur Shah Zafar Marg, New Delhi-110 002 and its Regional Offices at Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices at Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

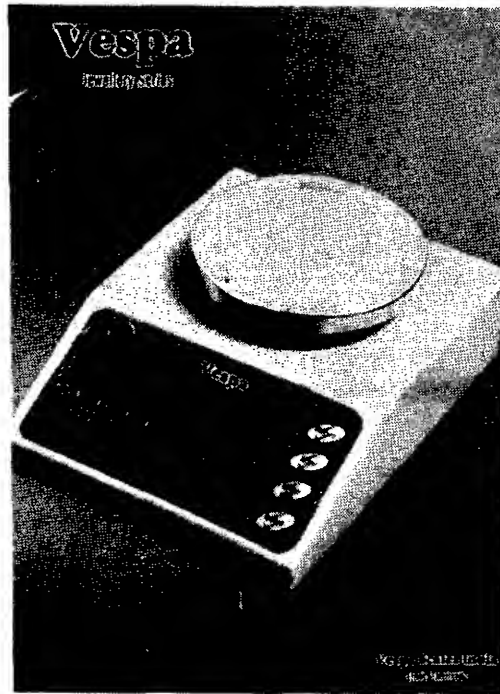
[No. MSD/G-8]

P.K. GAMBHIR, Sc. 'F' & Head (MSD)

नई दिल्ली, 16 जनवरी, 2006

का.आ. 393.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्पा स्केल्स इंडिया, इजहिल स्ट्रीट, अरुल वेलावन नगर, सुलाय, इरोदे-4, तमिलनाडु द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “वी एस आई-जे पी” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “वेस्पा” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/628 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप-प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टैम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

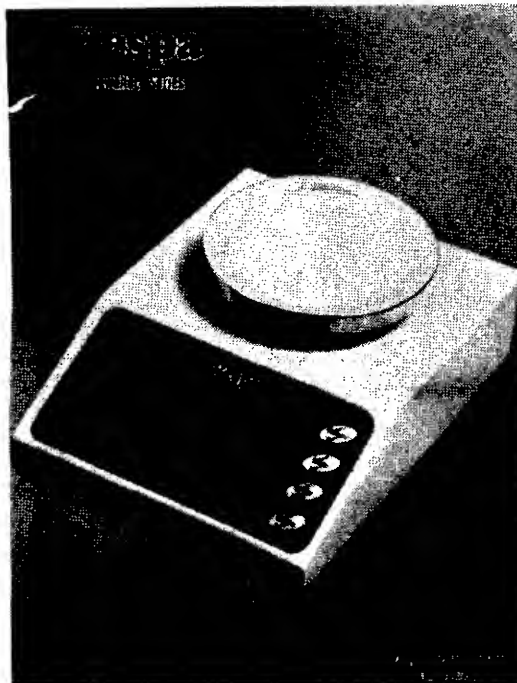
[फा. सं. डब्ल्यू एम-21(94)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 393.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of “VSI-JP” series of high accuracy (Accuracy class-II) and with brand name “VESPA” (hereinafter referred to as the said model), manufactured by M/s. Vespa Scales India, Ezhil Street, Arul Velavan Nagar, Soolai, Erode-4, Tamil Nadu and which is assigned the approval mark IND/09/05/628;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

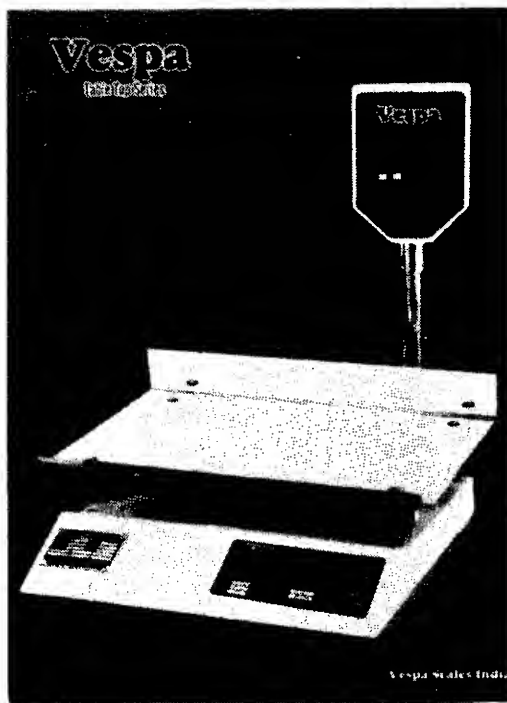
[F. No. WM-21(94)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 394.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्पा स्केल्स इंडिया, इजहिल स्ट्रीट, अरुल वेलावन नगर, सूलाय, इरोदे-4, तमिलनाडु द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “वी एस आई-टी बी” श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “वेस्पा” है (जिसे मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/629 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

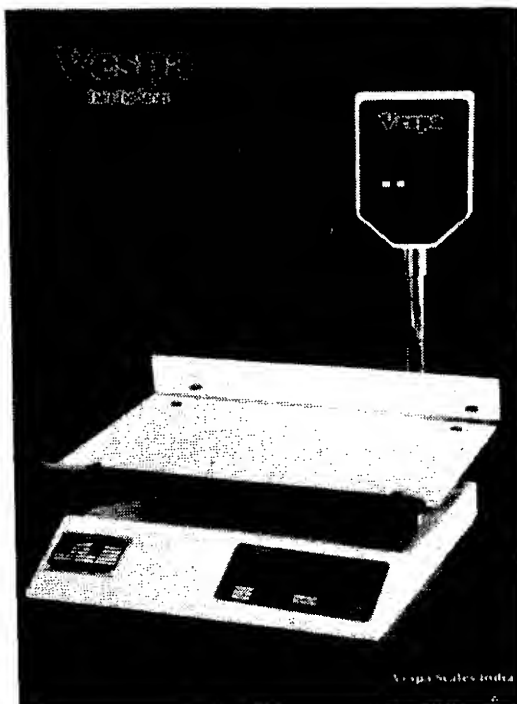
[फा. सं. डब्ल्यू एम-21(94)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January 2005

S.O. 394.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "VSI-TB" series of medium accuracy (Accuracy class-III) and with brand name "VESPA" (hereinafter referred to as the said Model), manufactured by M/s. Vespa Scales India, Ezhil Street, Arul Velavan Nagar, Soolai, Erode-4, Tamil Nadu and which is assigned the approval mark IND/09/05/629;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg and with verification scale interval (n) in the range of 100 to 10000 for 'e' value of 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

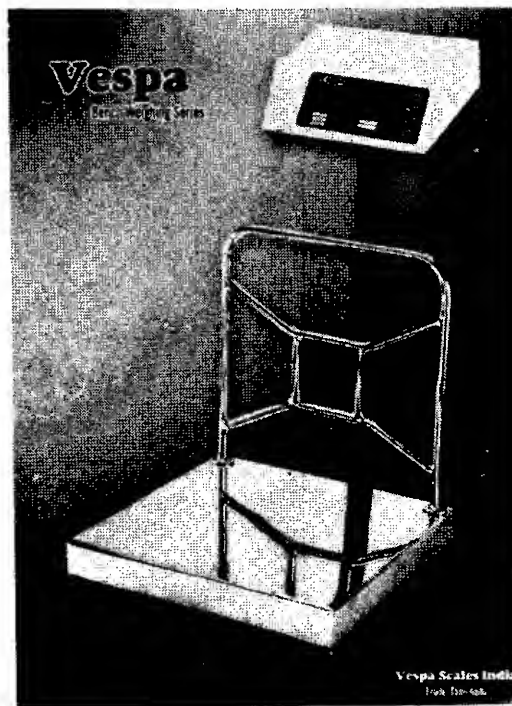
[F. No. WM-21(94)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 395. —केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्पा स्केल्स इंडिया, इजहिल स्ट्रीट, अरुल वेलावन नगर, सूलाय, इरोदे-4, तमिलनाडु द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-11) वाले "वी एस आई-पी पी" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वेस्पा" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/630 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि.ग्रा. और न्यूनतम क्षमता 2.5 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकन करने के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान (एन) अंतराल सहित 50 कि. ग्रा. से अधिक 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

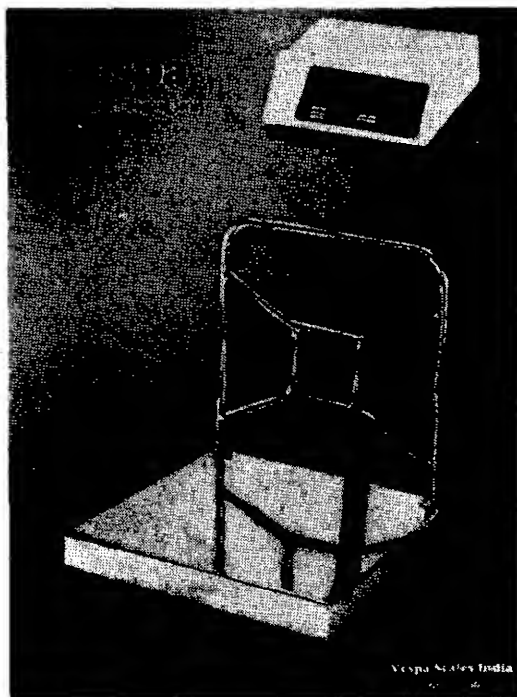
[फा. सं. डब्ल्यू एम-21(94)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 395.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "VSI-PP" series of high accuracy (Accuracy Class-II) and with brand name "VESPA" (hereinafter referred to as the said Model), manufactured by M/s. Vespa Scales India, Ezhil Street, Arul Velavan Nagar, Soolai, Erode-4, Tamil Nadu and which is assigned the approval mark IND/09/05/630;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600 kg and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity ranging above 50 kg to 1000kg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

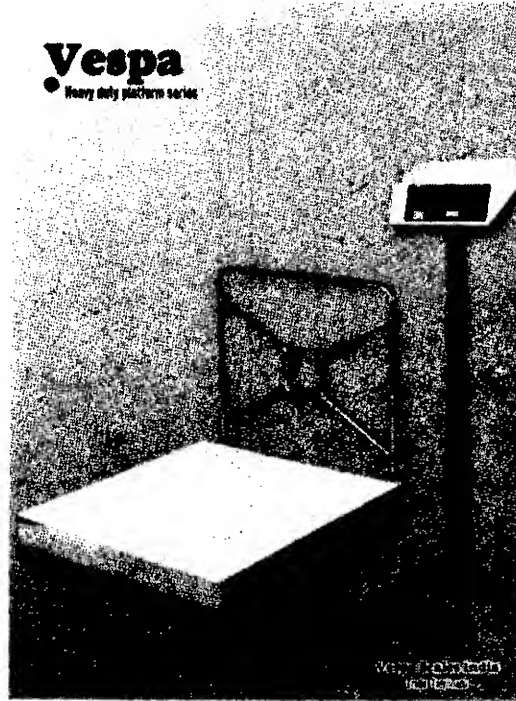
[F. No. WM-21(94)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 396.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्पा स्केल्स इंडिया, इजहिल स्ट्रीट, अरुल वेलावन नगर, सूलाय, इरोदे-4, तमिलनाडु द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "वी एस आई-पी टी" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "वेस्पा" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/631 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या इससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि. ग्रा. से अधिक 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^6 , 2×10^6 या 5×10^6 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

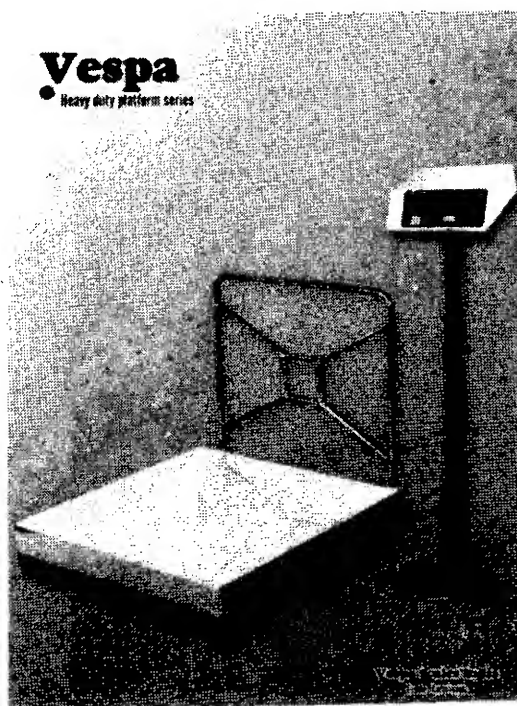
[फा. सं. डब्ल्यू एम-21(94)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 396.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic (Platform type) weighing instrument with digital indication of "VSI-PT" series of medium accuracy (Accuracy class-III) and with brand name "VESPA" (hereinafter referred to as the said Model), manufactured by M/s. Vespa Scales India, Ezhil Street, Arul Velavan Nagar, Soolai, Erode-4, Tamil Nadu and which is assigned the approval mark IND/09/05/631;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50kg and upto 5000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k ; k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(94)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 397.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्पा स्केल्स इंडिया, इजहिल स्ट्रीट, अरुल वेलावन नगर, सूलाय, इरोदे-4, तमिलनाडु द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "वी एस आई-पी सी" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (कनवरशन किट फार प्लेटफार्म) के मॉडल का, जिसके ब्रांड का नाम "वेस्पा" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/632 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक तोलन उपकरण है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक "ई" मान के लिए 100 से 1,00,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 1,00,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

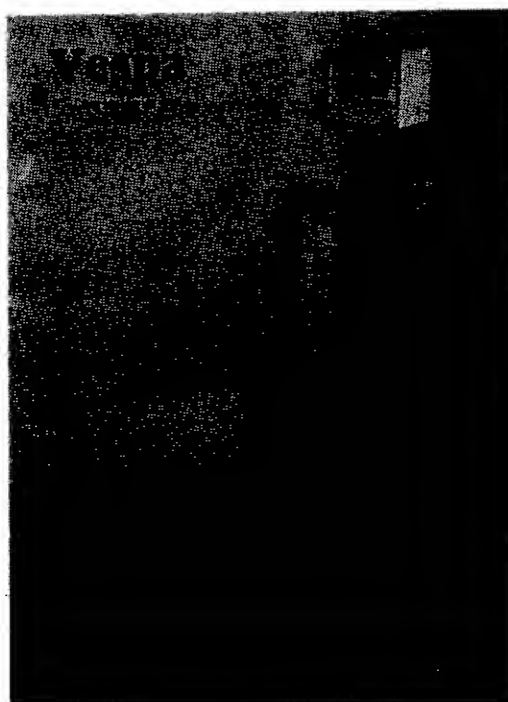
[फा. सं. डब्ल्यू एम-21(94)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 397.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Conversion kit for Platform) with "VSI-PC" series of belonging to medium accuracy (Accuracy class-III) and with brand name "VESPA" (hereinafter referred to as the said Model), manufactured by M/s. Vespa Scales India, Ezhil Street, Arul Velavan Nagar, Soolai, Erode-4, Tamil Nadu and which is assigned the approval mark IND/09/05/632;



The said model is a weighing instrument with a maximum capacity of 300 kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;

In addition to sealing stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity upto 1000 kg and with number of verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 1g. or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(94)/2005]

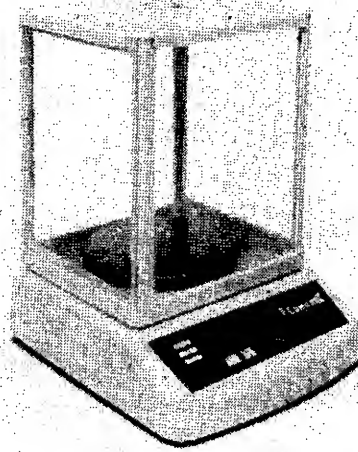
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 398.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बेन्सन वेइंग सिस्टम, नं० 27, डिप्टी कलैक्टर कलानी, के के नगर, मदुरै, तमिलनाडु द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “बीजेपी” श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “इकोनॉमिक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1031 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को सीलबंद करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए उसे खोलने से रोकने के लिए सीलबंद की जाएगी।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक “ई” मान के लिए 100 से 50,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(248)/2005]

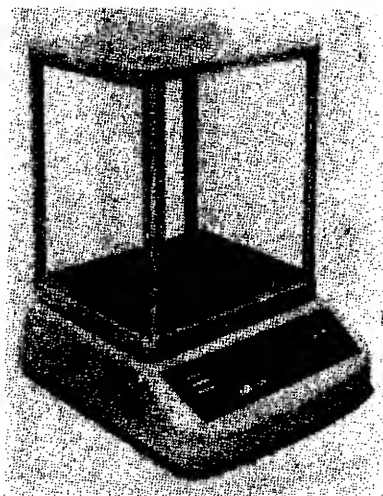
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 398.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "BJP" series of high accuracy (Accuracy class-II) and with brand name "ECONOMIC" (hereinafter referred to as the said Model), manufactured by M/s. Benson Weighing Systems, No. 27, Dy. Collector's Colony, K.K.Nagar, Madurai, Tamil Nadu and which is assigned the approval mark IND/09/05/1031;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to scaling the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity up to 50 kg and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

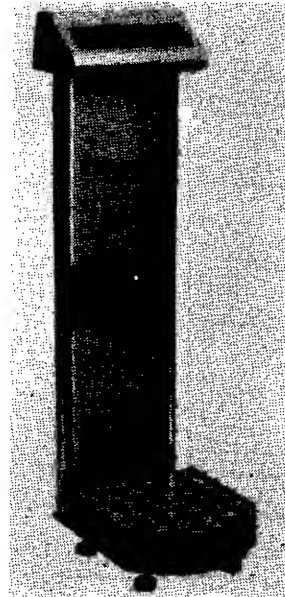
[F. No. WM-21(248)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 399.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स बेन्सन वेइंग सिस्टम, नं० 27, डिप्टी कलैक्टर, कालोनी के के नगर, मदुरै, तमिलनाडु द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "बीपीडब्ल्यू" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टिकट मुद्रण सुविधा के बिना या उसके साथ सिक्के द्वारा संचालित इलेक्ट्रॉनिक व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "इकानॉमिक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/1032 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" माप के लिए 500 से 10,000 तक की रेंज में सत्यापन मान अंतराल (एन) सहित और 100 कि. ग्रा. से अधिक और 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

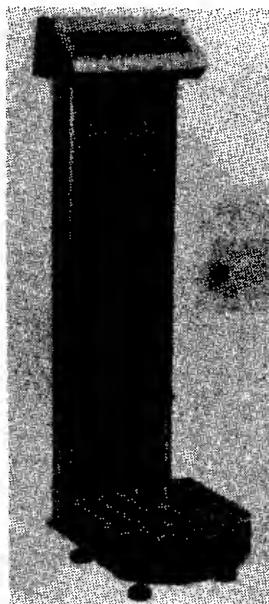
[फा. सं. डब्ल्यू एम-21(248)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 399.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Models described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (hereinafter referred to as said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication (Electronic Coin Operated Person weighing machine with or without ticket printing facility) of medium accuracy (Accuracy class-III) belonging to "BPW" series with brand name "ECONOMIC" (hereinafter referred to as the said Model), manufactured by M/s. Benson Weighing Systems, No. 27, Dy. Collector's Colony, K.K.Nagar, Madurai, Tamil Nadu and which is assigned the approval mark IND/09/2005/1032;



The said model (see the figure given above) is a strain gauge type load cell based weighing instrument with the maximum capacity of 200 kg and minimum capacity is 2kg. The verification scale interval (e) is 100g. The display is of Light Emitting Diode (LED) type. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity in the range of 100 kg to 200kg and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

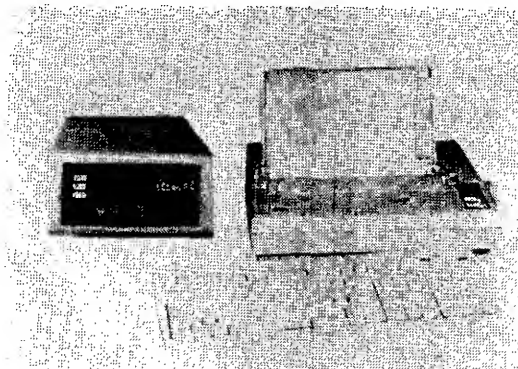
[F. No. WM-21(248)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 400.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स केन्सन वेइंग सिस्टम, नं. 27, डिप्टी कलैक्टर कालोनी, के के नगर, मदुरै, तामिलनाडु द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "की डब्ल्यू बी सी" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (वे ब्रिज के लिए कन्वर्शन किट-हाइब्रिड प्रकार) के मॉडल का, जिसके ब्रांड का नाम "इकोनॉमिक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/1033 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गैज प्रकार का लोड सेल आधारित अस्वचालित कम्पाउंड लीवर सिस्टम के सिद्धान्त का (वे ब्रिज के लिए कन्वर्शन किट-हाइब्रिड प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 40,000 कि.ग्रा. और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि.ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

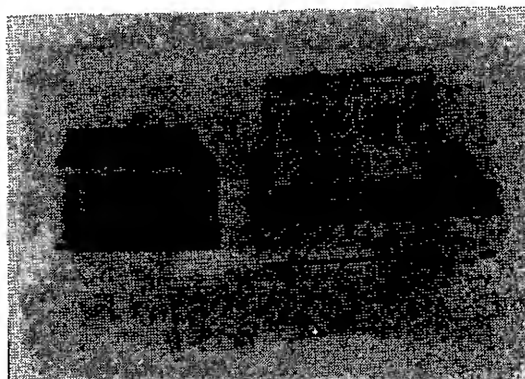
[फा. सं. डब्ल्यू एम-21(248)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 400.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (conversion kit for weighbridge-hybrid type) with digital indication belonging to medium accuracy (Accuracy class-III) of "BWBC" series with brand name "ECONOMIC" (hereinafter referred to as the said model), manufactured by M/s Benson Weighing Systems, No. 27, Dy. Collector's Colony, K.K. Nager, Madurai, Tamil Nadu and which is assigned the approval mark IND/09/05/1033;



The said model is a strain gauge type load cell based working on the principle of compound lever system non-automatic weighing instrument (conversion kit for weighbridge-hybrid type) with a maximum capacity of 40,000kg and minimum capacity of 200kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

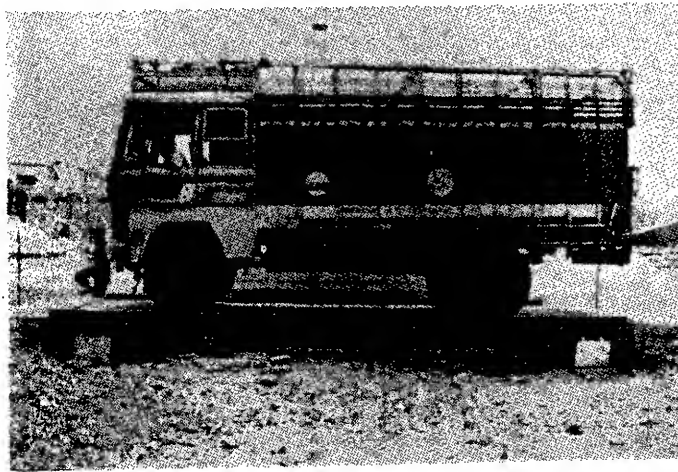
[F. No. WM-21(248)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 401.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कीर्ति ट्रेडर, गणपति टावर, कण्डीओ बाजार, जोधपुर, राजस्थान द्वारा निर्मित मध्यम (यथार्थता वर्ग-III) वाले “के आर टी डब्ल्यू” शृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (वे ब्रिज प्रकार) के मॉडल का, जिसके ब्रांड का नाम “के-डोगी” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/1038 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (नीचे दी गई आकृति देखें) अस्वचालित तोलन उपकरण (वे ब्रिज प्रकार का) है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन का खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्मित किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

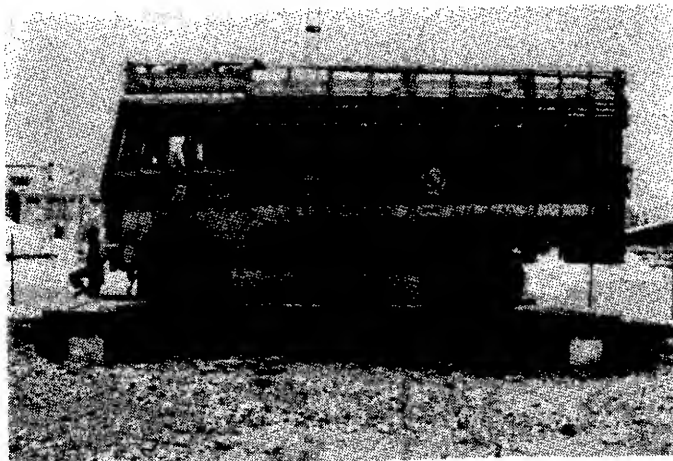
[फा. सं. डब्ल्यू एम-21(150)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 401.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of, non-automatic weighing instrument (weighbridge type) with digital indication belonging to medium accuracy (Accuracy class-III) of "KRTW" series with brand name "K-DIGI" (hereinafter referred to as the said model), manufactured by M/s. Kirti Traders, Ganpati Tower, Kandio Bazar, Jodhpur, Rajasthan and which is assigned the approval mark IND/09/05/1038;



The said model is a non-automatic weighing instrument (weighbridge) with a maximum capacity of 40 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply. The load cell is of strain gauge type.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(150)/2005]

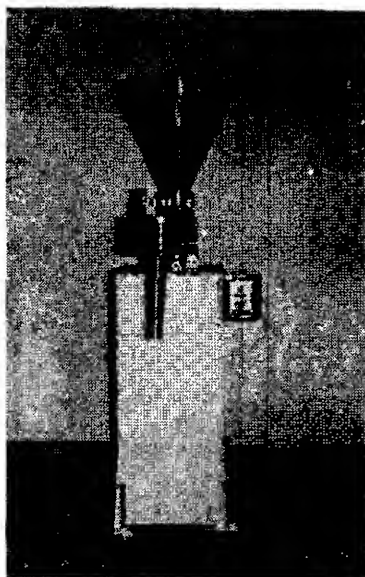
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 402.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ऐलिगैन्ट्स इंजीनियर, सी-82, सेक्टर-10, नौएडा-201 301, उत्तर प्रदेश द्वारा विनिर्मित सी एफ-4 शृंखला के स्वतः सूचक, स्वचालित फीलिंग मशीन (कप फिलर) मॉडल का जिसके ब्रांड का नाम “एलिगैन्ट इंजीनियर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/999 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक स्वचालित फीलिंग मशीन (कप फिलर) है और इसकी अधिकतम क्षमता 200 ग्राम से 10 कि.ग्रा. है। इसका उपयोग फ्री फ्लोइंग वस्तुओं जैसे सूजी, चाय, कॉफी पाउडर, चीनी, चावल, नमक, ग्रेन्यूल्स, डिटरजेंट, बीज, कृषि उत्पाद आदि को भरने के लिए किया जाता है। यह 7 से 40 पैकेट प्रति मिनट भरता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के 1 ग्राम से 10 कि. ग्रा. तक की रेंज की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(176)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 402.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the self indicating, automatic filling machine (Cup Filler) of "CF-4" series with brand name "Elegant Engineers," (hereinafter referred to as the said Model), manufactured by M/s Elegants Engineers, C-82, Sector-10, Noida-201 301, Uttar Pradesh and which is assigned the approval mark IND/09/2005/999;

The said Model (see the figure given below) an automatic filling machine (Cup Filler) and its maximum capacity is 200g to 10kg. It is used for filling the free flowing products like suzi, tea, coffee powder, sugar, rice, salt, gramules, detergents, seeds, agricultural products etc. It fills 7-40 packets per minute. The instruments operates on 230 Volts, 50 Hertz alternative current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.



Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity in the range of 1g to 10kg manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the approved model has been manufactured.

[F. No: WM-21(176)/2005]

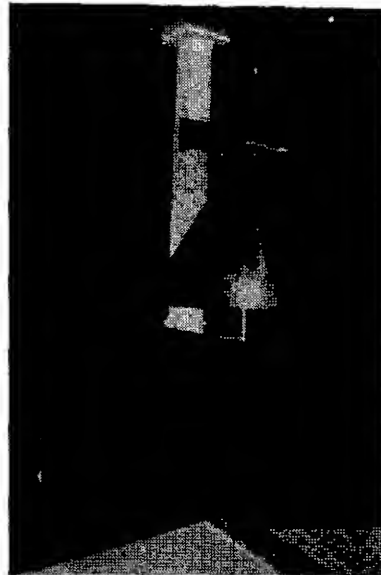
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 403.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ऐलिंगैन्ट्स इंजीनियर, सी-82, सेक्टर-10, नौएडा-201301, उत्तर प्रदेश द्वारा विनिर्मित ए एफ-4 शृंखला के स्वचालित फीलिंग मशीन (ऑगर फिलर) के मॉडल का जिसके ब्रांड का नाम "ऐलिंगैन्ट इंजीनियर" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1000 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक स्वचालित फीलिंग मशीन (ऑगर फिलर) है और इसकी अधिकतम क्षमता 1 ग्राम से 200 ग्रा. है। इसका उपयोग फ्री फ्लोइंग वस्तुओं जैसे दूध पाउडर, टेलकम पाउडर, मिल्क पाउडर, कॉफी पाउडर, आदि को भरने के लिए किया जाता है। यह 40-50 पैकेट प्रति मिनट भरता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण होंगे जो 1 ग्राम से 1 कि. ग्रा. तक की रेंज की क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21(176)/2005]

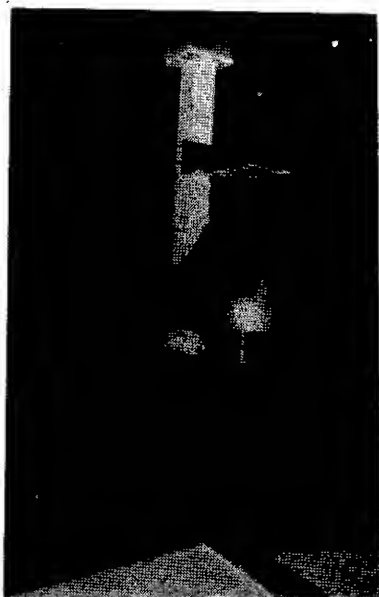
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 403.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Automatic filling machine (Auger Filler) of "AF-1" series and with brand name "Elegant Engineers," (herein after referred to as the said model), manufactured by M/s. Elegants Engineers, C-82, Sector-10, Noida-201301, Uttar Pradesh and which is assigned the approval mark IND/09/2005/I000;

The said model (See the figure given below) an Automatic filling machine (Auger Filler) and its maximum capacity is 1g. to 200g. It is used for filling the free flowing products like tooth powder, talcom powder, milk powder, coffee powder etc. It fills 40-50 packets per minute. The instruments operates on 230 Volts, 50 Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with capacity in the range of 1g. to 1kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

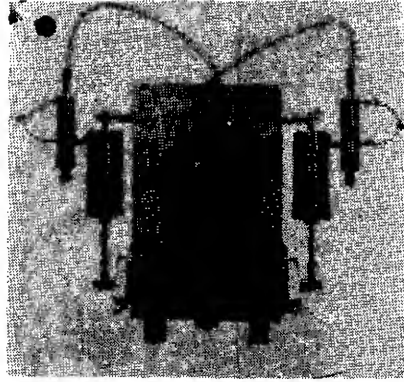
[F. No. WM-21(176)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 404.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स अनफार्मा इक्विपमेंट, # IX/417 बी, अपोलो टायर्स के पास, मेरमबरा डाकघर, जिला त्रिचुर, केरल-680699 द्वारा निर्मित अंकक सूचन सहित स्वतः सूचक, स्वचालित भरण मशीन (पिस्टन फिलर प्रकार) के मॉडल का, जिसके ब्रांड का नाम "अनफार्मा" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/658 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल स्वचालित भरण मशीन (पिस्टन फिलर) है। इसकी क्षमता 2 ग्रा. से 2000 ग्रा. तक की या समतुल्य मात्रा की रेंज में है। यह वनस्पति तेल, घी, वनस्पति, मारग्रेन आदि जैसे चिपचिपाहट वाले द्रव्य उत्पादों को भरने के लिए प्रयोग किया जाता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

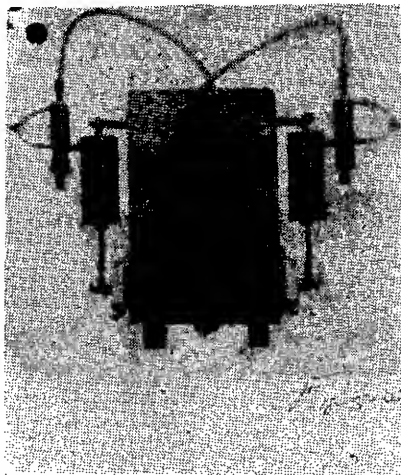
[फा. सं. डब्ल्यू एम-21(164)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 404.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the self indicating Automatic filling machine (Piston Filler) weighing instrument with digital indication of "APE" series and with brand name "ANPHARMA", (hereinafter referred to as the said model), manufactured by M/s Anapharma Equipment, # IX/417-B, Near Apollo Tyres, Perambra P.O. Trissur District, Kerala-680689 and which is assigned the approval mark IND/09/05/658;



The said model is an Automatic filling machine (Piston Filler) and its maximum capacity range is 2g to 2000g or its equivalent in volume. It is used for filling viscous liquid products like vegetable oil, ghee, vanaspathi, margarine etc. The instrument operates on 230 Volts and 50 Hertz alternative current power supply. Maximum filling capacity is 20 fills/minute.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

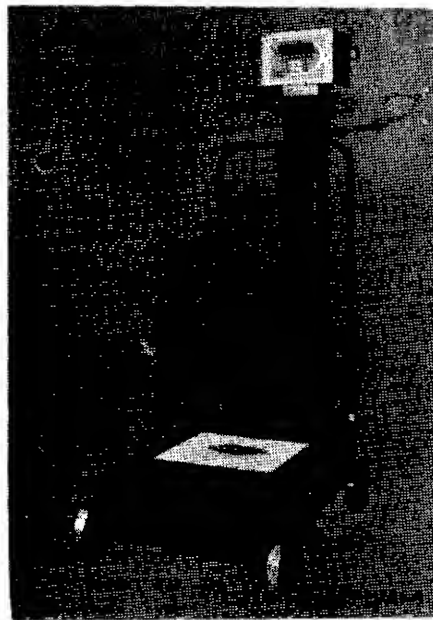
[F. No. WM-21(164)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 405.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ट्राइडेंट इंक, # बी-9, तीसरा मुरथ रोड, जी ई एफ ब्लॉक इंडस्ट्रीयल टाउन, राजाजी नगर, बंगलौर-560044 कर्नाटक द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “टी आई-वी सी” श्रृंखला के अंकक सूचन सहित, स्वतः सूचक स्वचालित, अस्वचालित, इलैक्ट्रॉनिक तोलन उपकरण (प्लेटफार्म के लिए कन्वर्जन किट) के मॉडल का, जिसके ब्रांड का नाम “सत्यम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/471 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित तोलन उपकरण (प्लेटफार्म मशीन के लिए कन्वर्जन किट प्रकार का) है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

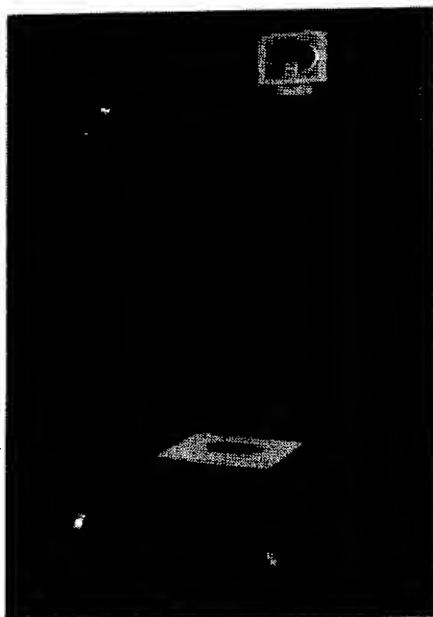
[फा. सं. डब्ल्यू एम-21(49)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 405.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the non-automatic weighing instrument (Conversion kit for Platform machine) with digital indication of "TI-PC" series of medium accuracy (accuracy class-III) and with brand name "SATHYAM" (hereinafter referred to as the said Model), manufactured by M/s. Trident Inc, # B-9, 3rd Main Road, G.E.F. Block Industrial Town, Rajaji Nagar, Bangalore-560044, Karnataka which is assigned the approval mark IND/09/05/471;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Conversion kit for Platform machine) with a maximum capacity of 300kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and upto 1000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

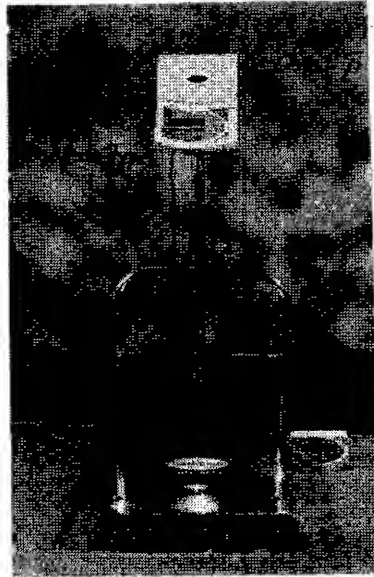
[F. No. WM-21(49)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 406.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ट्राइडेंट इंक, # बी-9, तीसरा मुरथ रोड, जी ई एफ ब्लॉक इंडस्ट्रीयल टाउन, राजाजी नगर, बंगलौर-560044, कर्नाटक द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “टी आई-वी टी” शृंखला के अंकक सूचक सहित, स्वतः सूचक स्वचालित, अस्वचालित, इलेक्ट्रॉनिक तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सत्यम” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/470 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का भार सेल आधारित अस्वचालित (प्लेटफार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि.ग्रा. और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 50 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल निर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1,000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक ह्रास शून्य के समतुल्य हैं।

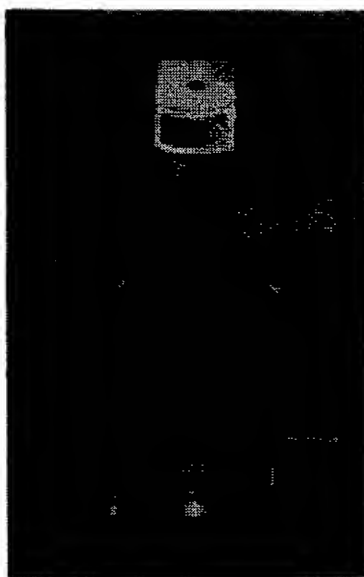
[फा. सं. डब्ल्यू एम-21(49)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 406.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of non-automatic weighing instrument (Platform type) with digital indication of "TI-PT" series of high accuracy (accuracy class-II) and with brand name "SATHYAM" (herein referred to as the said Model), manufactured by M/s. Trident Inc, # B-9, 3rd Main Road, G.E.F. Block Industrial Town, Rajaji Nagar, Bangalore-560 044, Karnataka which is assigned the approval mark IND/09/05/470;



The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600kg. and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 1,000 kg. with verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

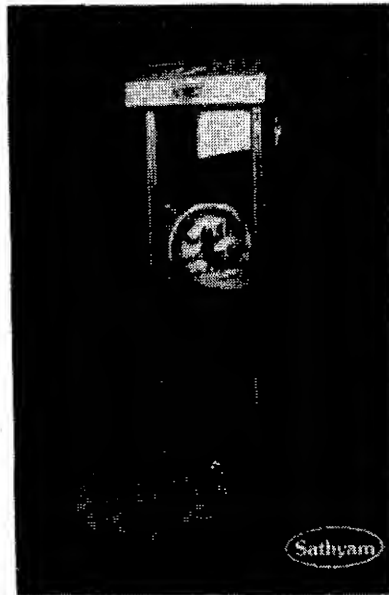
[F. No. WM-21(49)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. .—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ट्राइडेंट इंक, # बी-9, तीसरा मुरथ रोड, जी ई एफ ब्लॉक इंडस्ट्रीयल टाउन, राजाजी नगर, बंगलौर-560044 कर्नाटक द्वारा निर्मित मध्य यथार्थता (यथार्थता वर्ग-III) वाले "टी आई-सी ओ" मृंखला के अंकक सूचन सहित, स्वतः सूचक स्वचालित, अस्वचालित, इलैक्ट्रॉनिक तोलन उपकरण (सिक्का प्रचालित व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "सत्यम" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/472 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित (व्यक्ति तोलन मशीन) तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए मशीन खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी मृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 200 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-5} , 2×10^{-5} या 5×10^{-5} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

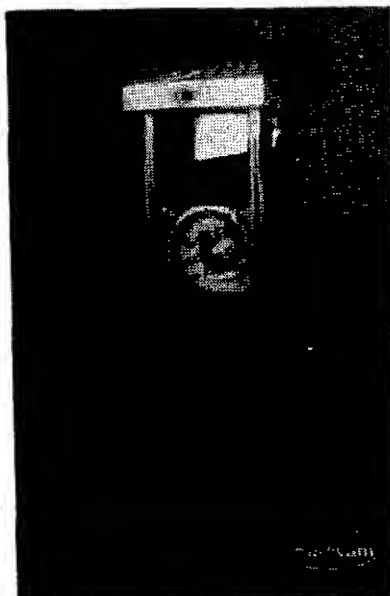
[फा. सं. डब्ल्यू एम-21(49)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 407.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Coin operated person weighing machine) with digital indication of "TI-CO" series of medium accuracy (accuracy class-III) and with brand name "SATHYAM" (hereinafter referred to as the said Model), manufactured by M/s Trident Inc, # B-9, 3rd Main Road, G.E.F. Block Industrial Town, Rajaji Nagar, Bangalore-560 044, Karnataka and which is assigned the approval mark IND/09/05/472;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Person weighing machine) with a maximum capacity of 150kg and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. It has coin operated ticket print out facility. The Light Emitting Diode (LED) display indicate the weighing result. The instruments operates on 230 Volts, 50 Hertz alternate current power supply;

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 200kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

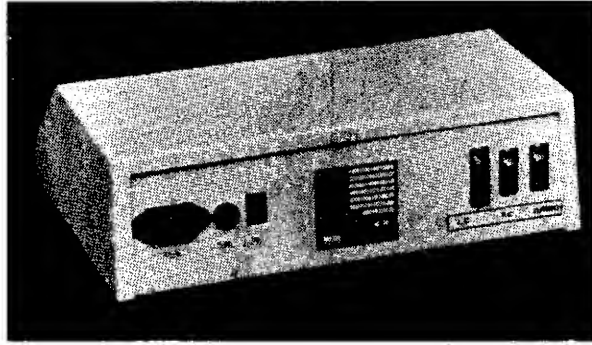
[F. No. WM-21(49)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 408.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एवरेस्ट स्केल्स मैन्यूफैक्चरिंग कम्पनी, 7-6-511, किशनगंज, निजामाबाद-503001 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ई एस एम डब्ल्यू बी" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (तोल सेतु प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एवरेस्ट" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/609 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित (तोल सेतु प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 40,000 कि.ग्रा. और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आघेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आघेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

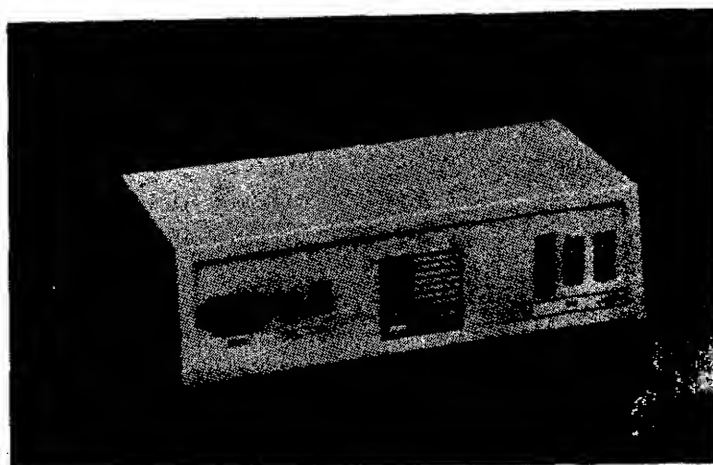
[फा. सं. डब्ल्यू एम-21(283)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 408.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore; in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (weighbridge type) with digital indication belonging to medium accuracy (accuracy class-III) of "ESMWB" series with brand name "EVEREST" (herein referred to as the said Model), manufactured by M/s. Everest Scales Manufacturing Co., 7-6-511, Kishan Gunj, Nizamabad-503 001 and which is assigned the approval mark IND/09/05/609;



The said Model is a non-automatic weighing instrument (weighbridge) with a maximum capacity of 40,000 kg and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply. The load cell is of strain gauge type.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'c' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(283)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 409.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एवरेस्ट स्केल्स मैन्यूफैक्चरिंग कम्पनी, 7-6-511, किशनगंज, निजामाबाद-503001 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ई एस एम डब्ल्यू सी के" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (तोल सेतु के लिए कंवर्जन किट प्रकार) के मॉडल का, जिसके ब्रांड का नाम "एवरेस्ट" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/610 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गेज प्रकार का लोड सेल आधारित अस्वचालित (तोल सेतु के लिए कंवर्जन किट) तोलन उपकरण है। इसकी अधिकतम क्षमता 40,000 कि.ग्रा. और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 कि. ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

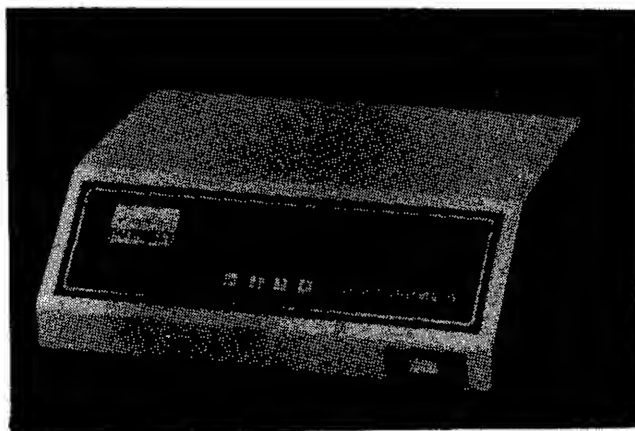
[फा. सं. डब्ल्यू एम-21(283)/2002]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 409.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of, non-automatic weighing instrument (conversion kit for weighbridge) with digital indication belonging to medium accuracy (accuracy class-III) of "ESMWCK" series with brand name "EVEREST" (herein referred to as the said model), manufactured by M/s. Everest Scales Manufacturing Co., 7-6-511, Kishan Gunj, Nizamabad-503 001 and which is assigned the approval mark IND/09/05/610;



The said model is a Straun gauge type load based non-automatic weighing instrument (conversion kit for weighbridge) with a maximum capacity of 40,000 kg and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(283)/2002]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

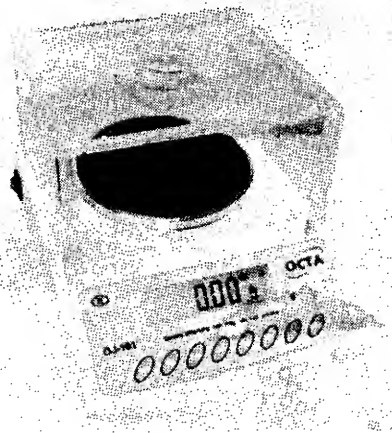
नई दिल्ली, 16 जनवरी, 2006

का.आ. 410.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एटको वेइंग सोल्यूशन कम्पनी लिमिटेड, 3/ए, लालवानी इंडस्ट्रियल एस्टेट, 14, जी डी अम्बेडकर रोड, वडाला, मुंबई-400 031 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "ओ जे" शृंखला के अंकक सूचन सहित अस्वचालित, तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "ओक्टा" है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/1078 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेन्सेशन सिद्धांत पर आधारित अस्वचालित (टेबल टोप प्रकार) का तोलन उपकरण है। इसकी अधिकतम क्षमता 300 ग्रा. और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

OJ SCALE
(Class II)



स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक "ई" मान के लिए 100 से 5000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(02)/2005]

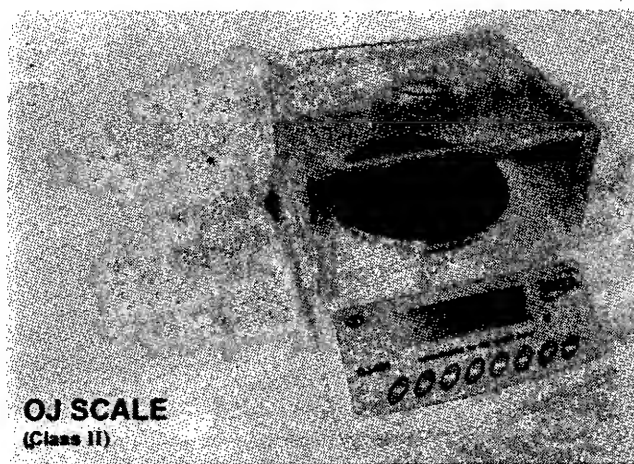
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 410.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument (Table top type) with digital indication of "OJ" series of high accuracy (Accuracy class-II) and with brand name "OCTA" (hereinafter referred to as the said model), manufactured by M/s. Atco Weighing Solution Co. Ltd., 3/A, Lalwani Industrial Estate, 14, G. D. Ambedkar Road, Wadala, Mumbai-400 031 and which is assigned the approval mark IND/09/05/1078;

The said model (see the figure give below) is an Electro-Magnetic Force Compensation Principle based non-automatic weighing instrument (Table top type) with a maximum capacity of 300g and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50Hertz alternative current power supply;



In addition to sealing the stamping plate sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, and performance of same series with maximum capacity up to 50 kg and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg to 50mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principles, design and with the same materials with which, the said approved model has been manufactured.

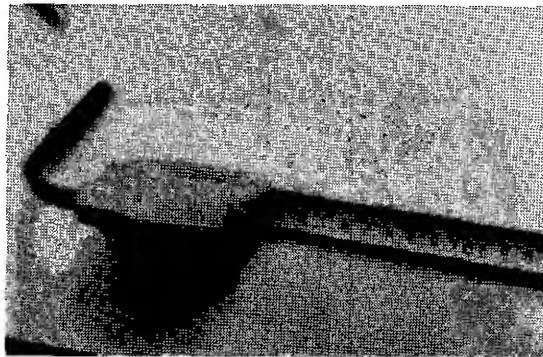
[F. No. WM-21(02)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 411.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स परफेक्ट इंटरनेशनल प्रा० लि०, सी-113, ग्रेटर कैलाश पार्ट-I, नई दिल्ली-110048 द्वारा विनिर्मित यथार्थता वर्ग-II और "के" शृंखला के स्टील फीता मापक के मॉडल का, जिसके ब्राण्ड का नाम "किंग" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई इन डी/09/2005/1114 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक स्टील प्रकार का मापक है। 1 मि०मी० ग्रेजुशन के साथ इसकी लंबाई 5 मी० है। मापक की चौड़ाई 18.75 मि०मी० है और मोटाई 0.26 मि०मी० है। मापक का रंग सफेद है जिसमें प्रत्येक सेंटीमीटर ग्रेजुएशन का रंग काला है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित अधिकतम 5 मी० तक की लंबाई के साथ उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के मापक उपकरण भी होंगे।

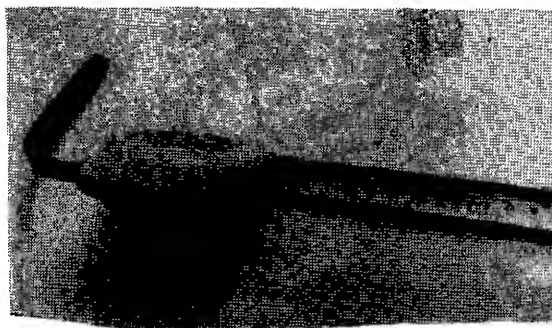
[फा. सं. डब्ल्यू एम-21(362)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 411.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of steel tape measure of accuracy class-II and of series-'K' with brand name "KING" (hereinafter referred to as the said model), manufactured by M/s. Perfect International Pvt. Ltd., C-113, Greater Kailash Part-I, New Delhi-110048 and which is assigned the approval mark IND/09/05/1114;



The said model is a Steel Tape Measure of Length 5m with 1mm graduation. The tape has a width of 18.75 mm and thickness of 0.26mm. The color of the tape measure is white where as the color of every centimeter graduation is black.

Further, in exercise of the powers conferred by Sub-Section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the measuring instruments of similar make, accuracy and performance of same series with maximum length up to 5m manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(362)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 412.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स. कैमरी इलेक्ट्रॉनिक (जाओकिंग) लिमिटेड, 4 केंग ली, रोड एस, जाओकिंग, गुआगडांग, चीन द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "के सी ई" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक किचन वेइंग स्केल प्रकार) के मॉडल का जिसके ब्रांड का नाम "फ्रीलांस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में मैसर्स मल्टी क्रिएशन प्राइवेट लिमिटेड, 12, प्रिंटिंग प्रेस एरिया (पंजाब केसरी के पीछे) वजीरपुर, दिल्ली-110035 को विपणन किया गया है और जिसे अनुमोदन चिह्न आई एन डी /09/2005/1107 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त माडल (नीचे दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 5 कि.ग्रा. है और न्यूनतम क्षमता 40 ग्राम है। सत्यापन मापमान अंतराल (ई) 2 ग्राम है। प्रदर्श लिक्विड क्रिस्टल डिस्प्ले (एल.सी.डी.) प्रकार का है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक 'ई' मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(322)/2005]

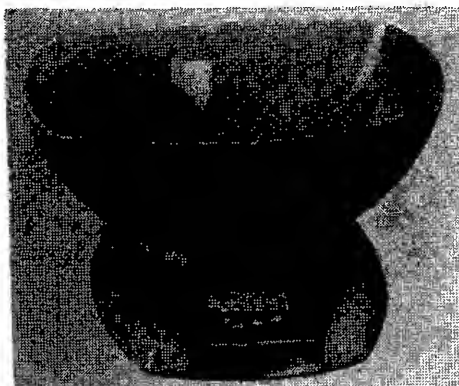
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 412.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with digital indication (Electronic kitchen weighing scale type) of "KCE" series of medium accuracy (Accuracy class III) and with brand name "FREELANCE" (herein after referred to as the said model), manufactured by M/s. Camry Electronic (Zhaoqing) Ltd., 4, Kang le, Road S., Zhaoqing, Guangdong, China and marketed in India by M/s Multi Creations Pvt. Ltd., 12, Printing Press Area (Behind Punjab Kesari), Wazirpur, Delhi-110035 and which is assigned the approval mark IND/09/2005/1107;

The said model (see the figure given above) is a strain gauge type load cell based weighing instrument with the maximum capacity of 5kg and minimum capacity is 40g. The verification scale interval (e) is 2g. The display is of Liquid Crystal Display (LCD) type.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-Section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg and with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with the verification scale interval in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(322)/2005]

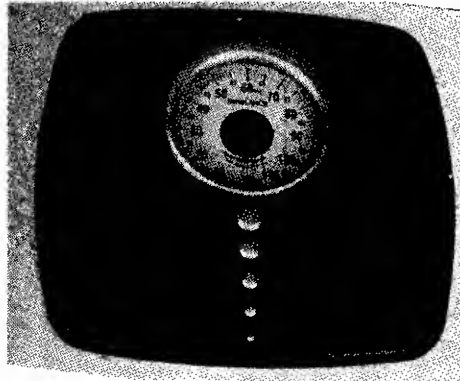
P. A. KRISHNAMOORTHY, Director, of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 413.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कैमरी इलेक्ट्रॉनिक्स (जाओकिंग) लिमिटेड 4 कैंग ली, रोड एस, जाओकिंग, गुआंगडांग, चीन द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग IV) वाले "बी आर एम" शृंखला के एनालॉग सूचन सहित अस्वचालित तोलन उपकरण (मैकेनिकल व्यक्ति तोल मशीन) के मॉडल का जिसके ब्रांड का नाम "फ्रीलांस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में मैसर्स मल्टी क्रिएशन प्राइवेट लिमिटेड, 12, प्रिंटिंग प्रेस एरिया (पंजाब केसरी के पीछे) वजीरपुर, दिल्ली-110035 को विपणन किया गया है और जिसे अनुमोदन चिह्न आई एन डी /09/2005/1108 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त माडल (नीचे दी गई आकृति देखें) एक तोलन उपकरण है जो स्प्रिंग के सिद्धांत पर कार्य करता है। इसकी अधिकतम क्षमता 120 कि.ग्रा. है और न्यूनतम क्षमता 10 कि.ग्राम है। सत्यापन मापमान अंतराल (ई) 1 कि.ग्राम है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त माडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 100 से 1000 तक की रेंज में सत्यापन अंतराल (एन) सहित 100 कि.ग्रा. से अधिक और 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

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[फा. सं. डब्ल्यू एम-21(322)/2005]

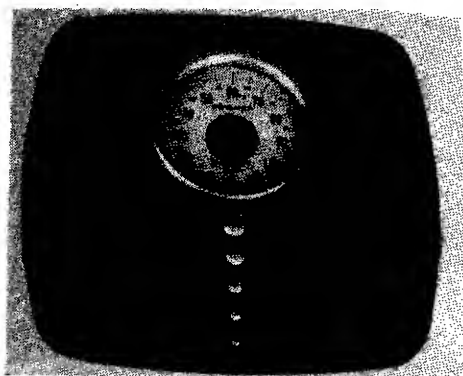
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 413.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with analogue indication (Mechanical person weighing machine) of "BRM" series of ordinary accuracy (Accuracy class IV) and with brand name "FREELANCE" (herein after referred to as the said model), manufactured by M/s. Camry Electronic (Zhaoqing) Ltd., 4, Kang le, Road S., Zhaoqing, Guangdong, China and marketed in India by M/s. Multi Creations Pvt. Ltd., 12, Printing Press Area (Behind Punjab Kesari), Wazirpur, Delhi-110 035 and which is assigned the approval mark IND/09/2005/1108;

The said model (see the figure given below) is a non-automatic weighing instrument working on the principle of spring with a maximum capacity of 120kg and minimum capacity is 10kg. The verification scale interval (e) is 1kg.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity in the range of 100kg to 200kg and with number of verification scale interval (n) in the range of 100 to 1000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved said model has been manufactured.

[F. No. WM-21(322)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 414.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कैमरी इलेक्ट्रॉनिक (जाओकिंग) लिमिटेड, 4 कैंग ली, रोड एस, जाओकिंग, गुआंगडॉंग, चीन द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "बी आर ई" श्रृंखला के एनालॉग सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक व्यक्ति तोल मशीन) के मॉडल का जिसके ब्रांड का नाम "फ्रीलांस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में मैसर्स मल्टी क्रीएशन प्राइवेट लिमिटेड, 12, प्रिंटिंग प्रेस एरिया (पंजाब केसरी के पीछे), वजीरपुर, दिल्ली-110 035 को विपणन किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1109 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (ऊपर दी गई आकृति देखें) एक विकृत गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 150 कि.ग्रा. है और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 ग्राम है। प्रदर्श लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) प्रकार का है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक 'ई' मान के लिए 100 से 10,000 तक की रेंज में सत्यापन अंतराल (एन) और 5 ग्रा. या उससे अधिक के 'ई' मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 100 कि.ग्रा. से अधिक और 200 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^0 , 2×10^0 या 5×10^0 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(322)/2005]

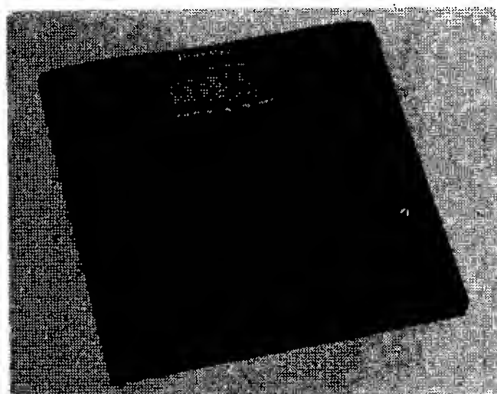
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 414.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) (hereinafter referred to as the said Act) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of model of non-automatic weighing instrument with digital indication (Electronic Person Weighing Machine) of "BRE" series of medium accuracy (Accuracy class III) with brand name "FREELANCE" (hereinafter referred to as the said model), manufactured by M/s. Camry Electronic (Zhaoqing) Ltd., 4, Kang le, Road S., Zhaoqing, Guangdong, China and marketed in India by M/s. Multi Creations Pvt. Ltd., 12, Printing Press Area (Behind Punjab Kesari), Wazirpur, Delhi-110 035 and which is assigned the approval mark IND/09/05/II09.

The said model (see the figure given above) is a strain gauge type load cell based weighing instrument with the maximum capacity of 150 kg and minimum capacity is 2 kg. The verification scale interval (e) 100g. The display is of Liquid Crystal Display (LCD) type.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity in the range of 100 kg to 200 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2 g and with the verification scale interval in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(322)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 415.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स कैमरी इलेक्ट्रॉनिक (जाओकिंग) लिमिटेड, 4 कैंग ली, रोड एस, जाओकिंग, गुआंगडॉंग, चीन द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग IV) वाले "के सी एम" शृंखला के एनालॉग सूचन सहित अस्वचालित तोलन उपकरण (मैकेनिकल किचन वेइंग मशीन 5 डॉयल प्रकार) के मॉडल का जिसके ब्रांड का नाम "फ्रीलांस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) जिसे भारत में मैसर्स मल्टी क्रीएशन प्राइवेट लिमिटेड, 12, प्रिंटिंग प्रेस एरिया (पंजाब केसरी के पीछे) वजीरपुर, दिल्ली-110 035 को विपणन किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/2005/1110 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक स्प्रिंग तोलन उपकरण है। इसकी अधिकतम क्षमता 4 कि.ग्रा. है और न्यूनतम क्षमता 200 ग्रा. है। सत्यापन मापमान अंतराल (ई) 20 ग्राम है। डॉयल द्वारा तोलन परिणाम उपदर्शित करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्राम या उससे अधिक के 'ई' मान के लिए 100 से 1000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और 'ई' मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(322)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 415.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument with analogue indication (Mechanical Kitchen Weighing Machine—Dial type) of “KCM” series of ordinary accuracy (Accuracy class IV) with brand name “FREELANCE” (hereinafter referred to as the said model), manufactured by M/s. Camry Electronic (Zhaoqing) Ltd., 4, Kang le, Road S., Zhaoqing, Guangdong, China and marketed in India by M/s. Multi Creations Pvt. Ltd., 12, Printing Press Area (Behind Punjab Kesari), Wazirpur, Delhi-110 035 and which is assigned the approval mark IND/09/05/1110;

The said model (see the figure given below) is a spring based weighing instrument with a maximum capacity of 4 kg. and minimum capacity of 200g. The verification scale interval (e) 20g. The result of measurement is indicated by a dial.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 1000 for ‘e’ value of 5g. or more and with ‘e’ value 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved said model has been manufactured.

[F. No. WM-21(322)/2005]

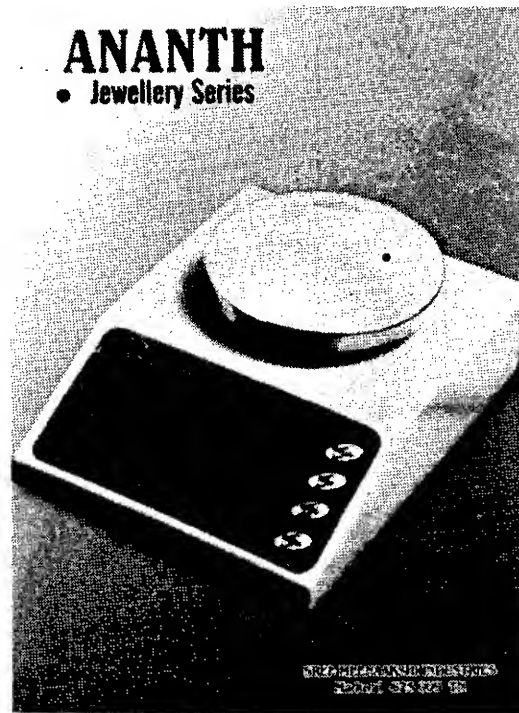
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.अ. 416.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री मीनाक्षी इण्डस्ट्रीज, सेंट्रल इलाम, 8/231, राजीव गांधी स्ट्रीट, मीनाक्षी नगर, न्यू रामानन्द रोड, मदुरै-625009 द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एस एम आई जे पी" शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का जिसके ब्रांड का नाम "अनन्त" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/637 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (एक विकृति गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक "ई" मान के लिए 100 से 5000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(97)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 416.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "SMI-JP" series of high accuracy (Accuracy class II) and with brand name "ANANTH" (hereinafter referred to as the said model), manufactured by M/s. Sree Meenakshi Industries, Senthil Illam, 8/231, Rajiv Gandhi Street, Meenakshi Nagar, New Ramanand Road, Madurai-625 009 and which is assigned the approval mark IND/09/05/637;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(97)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 417.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री मीनाक्षी इण्डस्ट्रीज, सेंटहिल इलाम, 8/231, राजीव गांधी स्ट्रीट, मीनाक्षी नगर, न्यू रामानन्द रोड, मदुरै-625009 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एस एम आई टी बी” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का जिसके ब्रांड का नाम “अनन्त” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/638 संमनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(97)/2005]

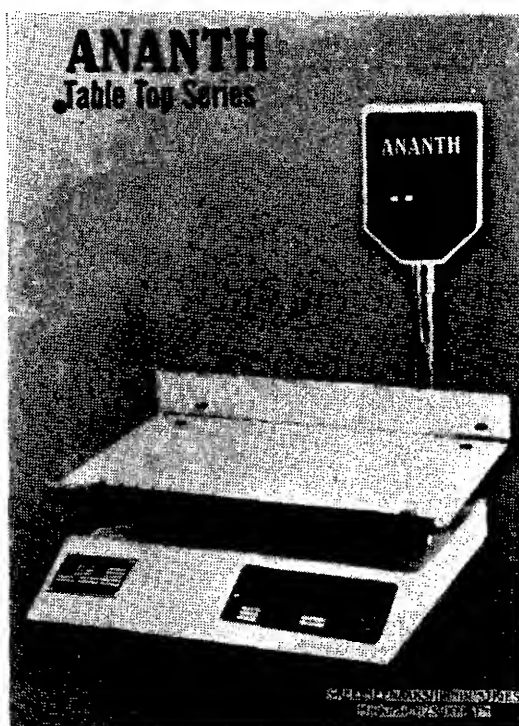
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 417.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "SML-TB" series of medium accuracy (Accuracy class III) and with brand name "ANANTH" (hereinafter referred to as the said model), manufactured by M/s. Sree Meenakshi Industries, Senthil Illam, 8/231, Rajiv Gandhi Street, Meenakshi Nagar, New Ramanan Road, Madurai-625 009 and which is assigned the approval mark IND/09/05/638;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(97)/2005]

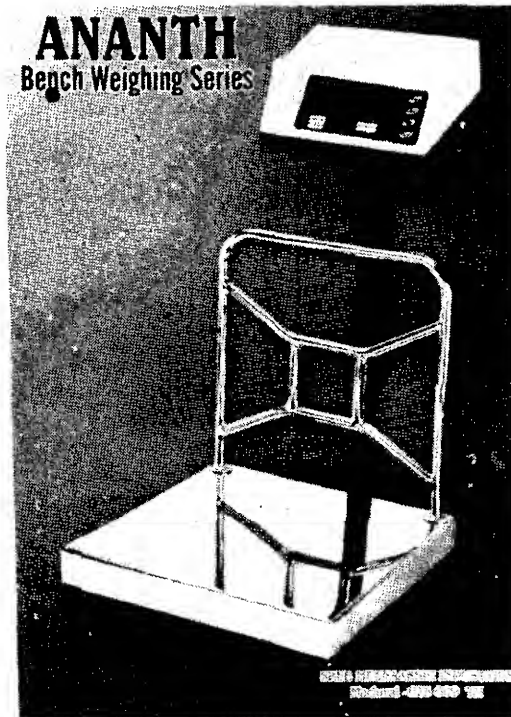
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 418.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री मीनाक्षी इण्डस्ट्रीज, सेंटहिल इलाम, 8/231, राजीव गांधी स्ट्रीट, मीनाक्षी नगर, न्यू रामानन्द रोड, मदुरै-625009 द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "एस एम आई-पी पी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का जिसके ब्रांड का नाम "अनन्त" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/05/639 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 600 कि.ग्रा. और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 50 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक के रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के है, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(97)/2005]

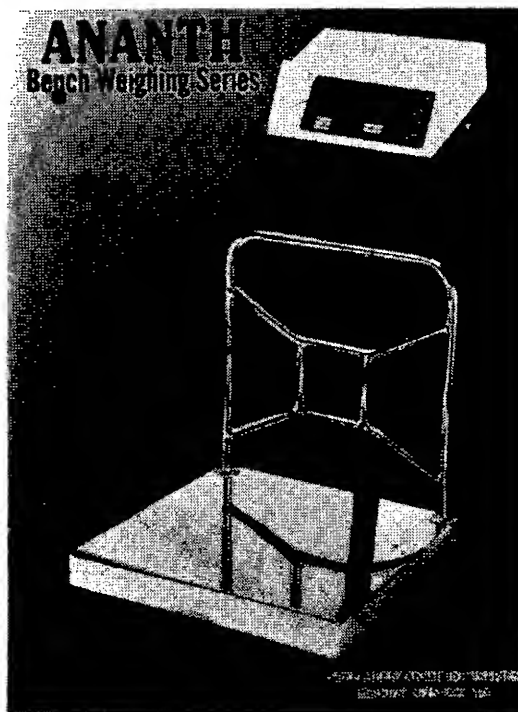
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 418.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "SMI-PP" series of high accuracy (Accuracy Class II) and with brand name "ANANTH" (hereinafter referred to as the said model), manufactured by M/s. Sree Meenakshi Industries, Senthil Illam, 8/231, Rajiv Gandhi Street, Meenakshi Nagar, New Ramnad Road, Madurai-625 009 and which is assigned the approval mark IND/09/05/639;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600 kg and minimum capacity of 2.5kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity ranging above 50kg to 1000kg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(97)/2005]

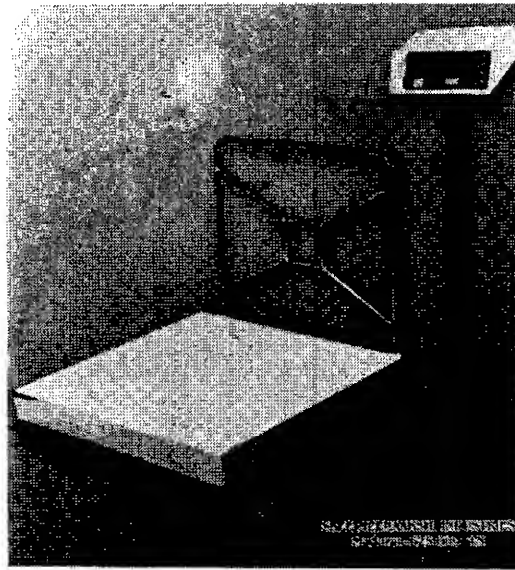
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 419.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री मीनाक्षी इण्डस्ट्रीज, सेंटहिल इलाम, 8/231, राजीव गांधी स्ट्रीट, मीनाक्षी नगर, न्यू रामानन्द रोड, मदुरै-625009 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एस एम आई-पी टी" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "अनन्त" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/640 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. से या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(97)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 419.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of the self indicating, non automatic, (Plat form type) weighing instrument with digital indication of "SMI-PT" series of medium accuracy (Accuracy class-III) and with brand name "ANANTH" (hereinafter referred to as the said Model), manufactured by M/s Sree Meenaakshi Industries, Senthil Illam, 8/231, Rajiv Gandhi Street, Meenakshi Nagar, New Ramnad Road, Madurai-625 009 and which is assigned the approval mark IND/09/2005/640;

The said Model (see the figure given below) is strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of same series with maximum capacity above 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(97)/2005]

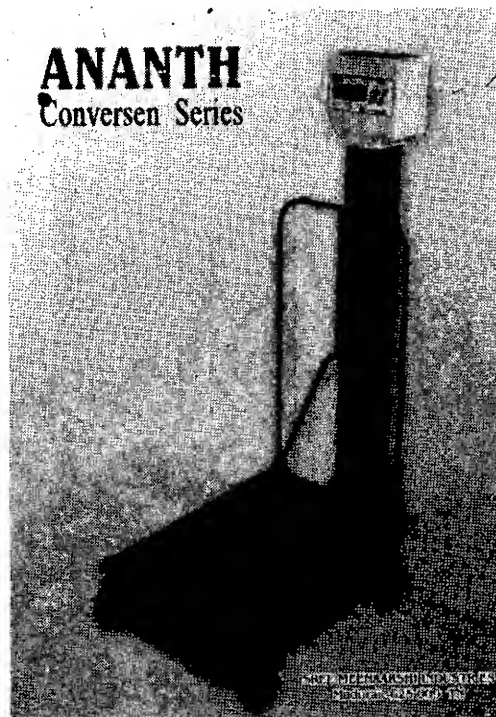
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 420.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स श्री मीनाक्षी इण्डस्ट्रीज, सेंटहिल इलाम, 8/231, राजीव गांधी स्ट्रीट, मीनाक्षी नगर, न्यू रामानन्द रोड, मदुरै-625009 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एस एम आई-पी सी” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म के लिए कनवर्शन किट प्रकार) के मॉडल का, जिसके ब्रांड का नाम “अनन्त” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/641 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 300 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोले जाने से रोकने के लिए सीलबंद भी किया जाएगा।

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 1,00,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 1,00,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(97)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 420.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the Model of non automatic weighing instrument (Conversion kit for Platform) with "SMI-PT" series belonging to medium accuracy (Accuracy class-III) and with brand name "ANANTH" (hereinafter referred to as the said Model), manufactured by M/s Sree Meenaakshi Industries, Senthil Illam, 8/231, Rajiv Gandhi Street, Meenakshi Nagar, New Ramnad Road, Madurai-625 009 and which is assigned the approval mark IND/09/2005/641;

The said Model (see the figure given below) is a weighing instrument with a maximum capacity of 300 kg and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 1000kg and with number of verification scale interval (n) in the range of 100 to 1,00,000 for 'e' value of 100mg. to 2g and with number of verification scale interval (n) in the range of 5000 to 1,00,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

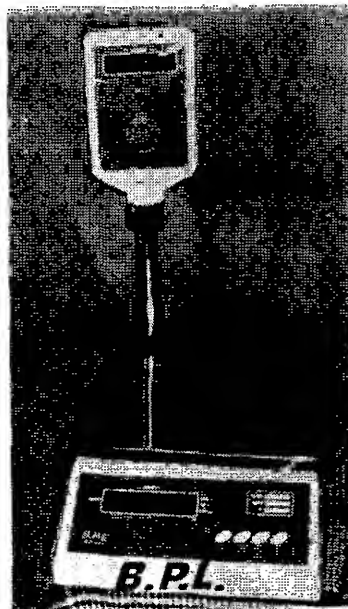
[F. No. WM-21(97)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 421.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बी. पी. एल. वे वर्ल्ड, 7वां तला, राजेन्द्र कम्प्लेक्स, एन. एस. बोरस रोड, थाने-400601 द्वारा उच्च यथार्थता (यथार्थता वर्ग-II) वाले "बी पी एल" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "बीपीएल वे वर्ल्ड" है (जिसे इसके इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/566 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सैल आधारित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक "ई" मान के लिए 100 से 5,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मान (एन) अंतराल सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

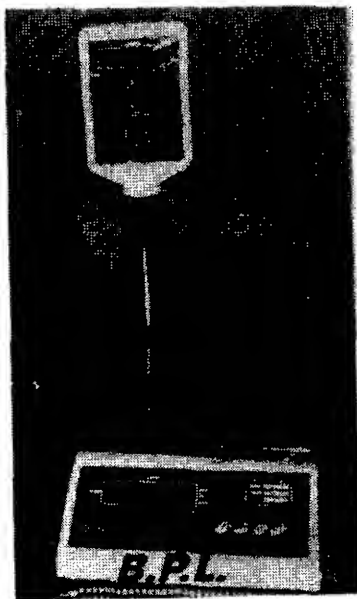
[फा. सं. डब्ल्यू एम-21(25)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान.

New Delhi, the 16th January, 2006

S.O. 421.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "BPL" series of high accuracy (Accuracy class-II) and with brand name "BPL WEIGH WORLD" (hereinafter referred to as the said model), manufactured by M/s. B.P.L. Weigh-World, 7th Gala, Rajendra Complex, N.S. Bose Road, Thane-400 601 and which is assigned the approval mark IND/09/05/566;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply;

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg and with number of verification scale interval (n) in the range of 100 to 5000 for 'e' value of 1 mg to 50 mg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(25)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 422.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बी. पी. एल. वे वर्ल्ड, 7वां तला, राजेन्द्र कम्प्लेक्स, एन. एस. बोस रोड, थाने-400601 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “बी पी डब्ल्यू” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टोप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “बी. पी. एल. वे वर्ल्ड” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/567 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित तोलन उपकरण (टेबल टोप प्रकार का) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक “ई” मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(25)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 422.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "BPW" series of medium accuracy (Accuracy class-III) and with brand name "BPL WEIGH WORLD" (hereinafter referred to as the said model), manufactured by M/s. B.P.L. Weigh-World, 7th Gala, Rajendra Complex, N.S. Bose Road, Thane-400 601 and which is assigned the approval mark IND/09/05/567;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

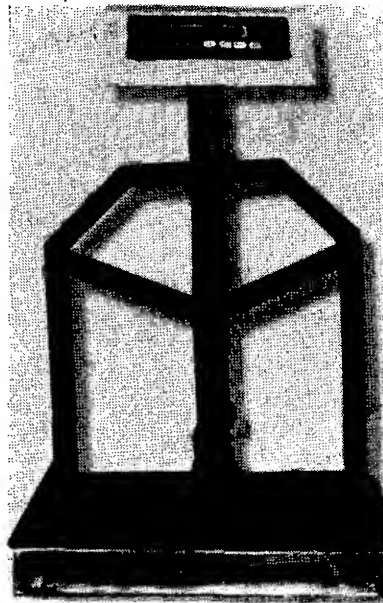
[F. No. WM-21(25)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 16 जनवरी, 2006

का.आ. 423.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स बी पी एल वे वर्ल्ड, 7 वां तला, राजेन्द्र कम्प्लेक्स, एन एस बोरा रोड, थाने-400601 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "बी पी एल वे वर्ल्ड" श्रृंखला के अंकक सूचन सहित, अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "बी पी एल वे वर्ल्ड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/568 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का तोलन) उपकरण है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

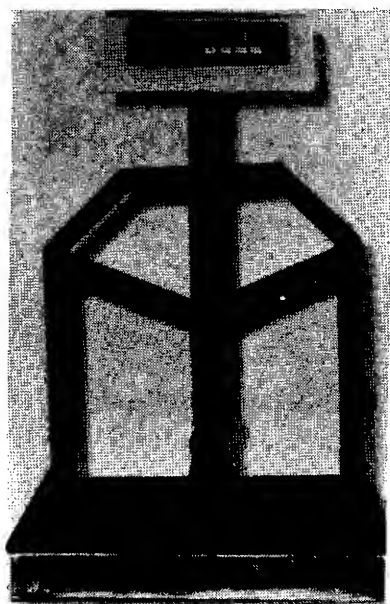
[फा. सं. डब्ल्यू एम-21(25)/2005]

डा. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 16th January, 2006

S.O. 423.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating non-automatic, (Platform type) weighing instrument with digital indication of "BPW" series of medium accuracy (Accuracy class-III) and with brand name "BPL WEIGH WORLD" (herein after referred to as the said model), manufactured by M/s. B.P.L. Weigh-World, 7th Gala, Rajendra Complex, N.S. Bose Road, Thane-400 601 and which is assigned the approval mark IND/09/05/568;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity up to 50 kg and up to 5000 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

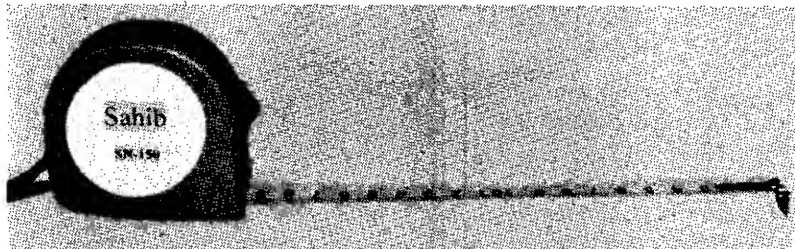
[F. No. WM-21(25)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 17 जनवरी, 2006

का.आ. 424.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स साहिब नोवेल्टिज, 5022/9, भूतल, राम रहीम मार्केट, रुई मन्डी, सदर बाजार, दिल्ली-110006 द्वारा विनिर्मित यथार्थता वर्ग-II और "एस एन-150" श्रृंखला के स्टील फीता मापक के मॉडल का, जिसके ब्रांड का नाम "साहिब" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/6095 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक स्टील प्रकार का मापक है। 1 मि. मी. ग्रेजुएशन के साथ इसकी लंबाई 5 मी. है। मापक की चौड़ाई 16 मि. मी. है और मोटाई 0.19 मि. मी. है। मापक का रंग पीला है जिसमें प्रत्येक सेंटीमीटर ग्रेजुएशन का रंग काला है।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित अधिकतम 5 मी. तक की लंबाई के साथ उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के मापक उपकरण भी होंगे।

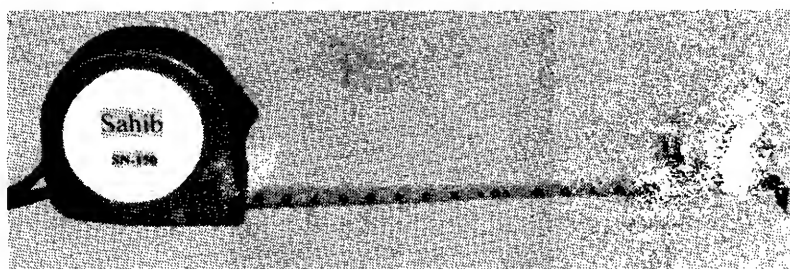
[फा. सं. डब्ल्यू एम-21(357)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 17th January, 2006

S.O. 424.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of steel tape measure of accuracy class-II and of series-'SN-150' with brand name "SAHIB" (hereinafter referred to as the said model), manufactured by M/s Sahib Novelties, 5022/9, Ground Floor, Ram Rahim Market, Rui Mandi, Sadar Bazar, Delhi-110006 and which is assigned the approval mark IND/09/2005/51095;



The said model is a Steel Tape Measure of length 5m with 1mm graduation. The tape has a width of 16 mm and thickness of 0.19mm. The colour of the tape measure is yellow where as the colour of every centimeter graduation is black.

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the measuring instruments of similar make, accuracy and performance of same series with maximum length up to 5m manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(357)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 425.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा जारी अनुमोदित प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए स्मार्ट टेक्नोलोजी सिस्टम्स, सं. 13, 5वां क्रॉस, एम ई एस रोड, शारदाबा नगर, झालाहल्ली, बंगलौर-560013 द्वारा विनिर्मित "एस टी एस-30" शृंखला के अंकक सूचन सहित ऑटो/टैक्सी मीटर के मॉडल का, जिसके ब्रांड का नाम "स्मार्ट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/589 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।



उक्त मॉडल 5 अंकीय दूरी और समय मापन युक्ति सहित लगा हुआ अंकन सूचन निर्देशन सहित ऑटो/टैक्सी मीटर है। यह यात्रा के किसी भी क्षण यात्री द्वारा संदेय प्रभार को निरंतर जोड़ता रहता है और उपदर्शित करता रहता है। यात्रा के दौरान कतिपय विनिर्दिष्ट चाल के ऊपर और विनिर्दिष्ट चाल के नीचे चली गई दूरी के किराए को देय करने का फंक्शन है। मीटर के पाठ प्रकाश उत्सर्जक डायोड (एल ई डी) द्वारा उपदर्शित करता है उपकरण का "के" फैक्टर 2800 पल्स/कि. मी. है।

स्टॉपिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबन्द भी किया जाएगा।

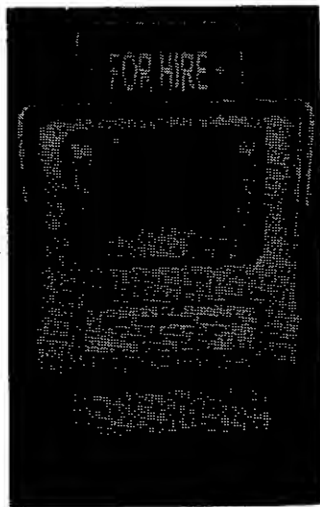
[फा. सं. डब्ल्यू एम-21(69)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 425.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of an Auto/Taxi Meter with digital indication of 'STS-30' series with brand name "SMART" (herein referred to as the said Model), manufactured by M/s. Smart Technology Systems, No. 13, 5th Cross, MES Road, Sharadamba Nagar, Jalahalli, Bangalore-560013 and which is assigned the approval mark IND/09/05/589;



The said Model is an Auto/Taxi Meter with 5 digit digital indication incorporated with a distance and time measuring device. It totalizes continuously and indicates at any moment of the journey, the charges payable by the passenger. The fare to pay is a function of the distance travelled above a certain specified speed and the time elapsed below a specified speed during the journey. The reading of the meter is indicated by Light Emitting Diode (LED). The 'K' factor of the instrument is 2800 pulses per kilometer.

In addition to sealing stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

[F. No. WM-21(69)/2005]

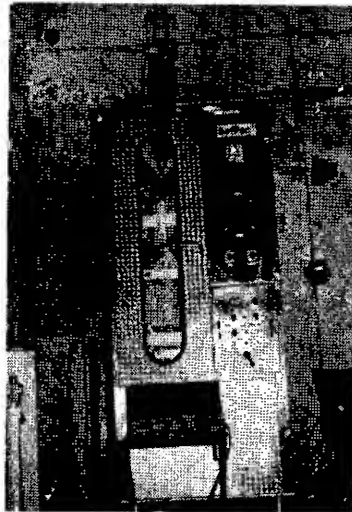
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 426.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स डेक्कन पैकेजिंग सिसटम्स एंड नीड्स, 402, शशांक रेसीडेंसी, स्ट्रीट नं. 11, टरंका, हैदराबाद-500017 द्वारा निर्मित "सेटपैक-900 वी" शृंखला के अंकक सूचन सहित स्वतः सूचक स्वचालित इलैक्ट्रॉनिक तोलन मशीन (पिस्टन फिलर प्रकार) के मॉडल का जिसके ब्रांड का नाम "सेटपैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/902 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल का स्वचालित फिलिंग मशीन (पिस्टन फिलर) है। इसकी अधिकतम क्षमता 2 ग्रा. से 1,000 ग्रा. अथवा उसके समतुल्य आयतन की रेंज में है। यह नियत घनात्मक विस्थापन के तहत पिस्टन फिलिंग प्रणाली के सिद्धांत पर कार्य करता है। यह वनस्पति तेल, घी, वनस्पति, मारग्रेन जैसे चिपचिपे उत्पादों को भरने में प्रयुक्त होता है। यह 60 भरन प्रति मिनट (अधिकतम) की दर से भरता है जो पैक के आकार और द्रव के चिपचिपे पर निर्भरत है।



स्टाम्पिंग प्लेट के मुदांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के मापक उपकरण भी होंगे जो 2 ग्रा. से 1,000 ग्रा. अथवा उसके समतुल्य आयतन की अधिकतम क्षमता वाले हैं।

[फा. सं. डब्ल्यू एम-21 (289)/2005]

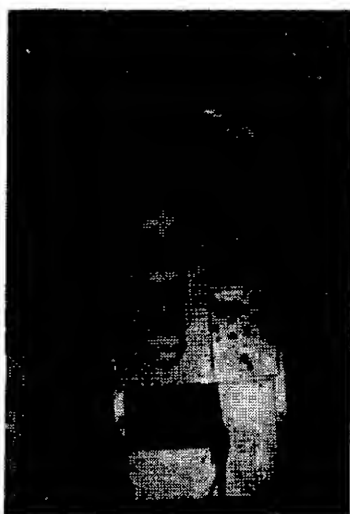
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 426.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self-indicating, Automatic Filling Machine (Piston Filler) of "SETPAC-900V" series with brand name "SETPAC" (herein referred to as the said Model), manufactured by M/s. The Deccan Packaging Systems and Needs, 402, Shashank Residency, Street No. 11, Tarnka, Hyderabad—500017 and which is assigned the approval mark IND/09/05/902;

The said Model is an automatic filling machine (Piston Filler) with a capacity in the range of 2g. to 1000.g or equivalent volume in ml. It works on the principle of piston filling mechanism under constant positive displacement. It is used for filling of viscous liquid products like vegetable oils, ghee, vanaspati, margarine etc. It fills 60 fills per minute (max.) depending upon the size of the pack and viscosity of the liquids.



In addition to sealing stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the measuring instruments of similar make, and performance of same series with capacity in the range of 2g. to 1,000g or equivalent volume manufactured by the same manufacturer in accordance with the same principle, design accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(289)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 427.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स डेक्कन पैकेजिंग सिस्टम्स एंड नीड्स, 402, शशांक रेसीडेंसी, स्ट्रीट नं. 11, टरंका, हैदराबाद-500 017 द्वारा निर्मित सेटपैक-2250 जी श्रृंखला के अंकक सूचन सहित स्वतःसूचक स्वचालित, ग्रेविमेट्रिक फिलिंग इलेक्ट्रॉनिक तोलन मशीन समय आधारित पाउच फिलिंग मशीन के मॉडल का, जिसके ब्रांड का नाम "सेटपैक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/901 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल स्वचालित ग्रेविमेट्रिक फिलिंग मशीन समय-आधारित पाउच फिलिंग मशीन है। इसकी अधिकतम क्षमता 2 ग्राम से 1000 ग्राम अथवा उसके समतुल्य आयतन मि.ली. में है। यह गुरुत्वाकर्षण प्रवाह के सिद्धान्त पर कार्य करता है और धागे, सफेदी, नील, दूध, घी, मिनरल जल जैसे मुक्त प्रवाही चिपचिपा रहित द्रवों को भरने में प्रयुक्त होता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से, जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 2 ग्राम से 1000 ग्राम अथवा उसके समतुल्य की अधिकतम क्षमता वाले हैं।

[फा.सं. डब्ल्यू एम-21(289)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 427.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, Automatic Gravimetric Filling Machine (Time based-Pouch Filling Machine) of "SETPAC-2250G" series with brand name "SETPAC" (herein referred to as the said Model), manufactured by M/s. The Deccan Packing Systems and Needs, 402, Shashank Residency, Street No. 11, Tarnaka, Hyderabad-500 017 and which is assigned the approval mark IND/09/05/901;

The said model is an automatic gravimetric filling machine (Time based Pouch Filling Machine) with a capacity in the range of 2g to 1000g or equivalent volume in ml. It works on the principle of gravity flow and used for filling of all free flowing non-viscous liquids like fabric, whitener, blue, milk, butter milk, arrack, mineral water etc. It fills 30 to 50 fills per minute (max.) depending upon the size of the pack and quantity of liquid to be filled.



In addition to sealing stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make and performance of same series with capacity in the range of 2g to 1000g or equivalent volume manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

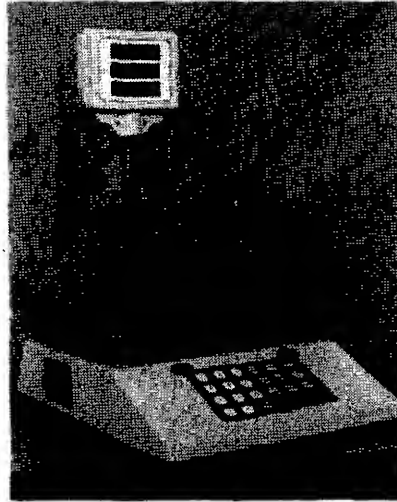
[F. No. WM-21(289)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 428.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेटासुन टेलीकाम प्राइवेट लिमिटेड, प्लॉट सं. 168, 169 और 170 महेश नगर, कपरा, ई सी आई एल डाकघर, हैदराबाद-500 062, आंध्र प्रदेश द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एम एस जे" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटासन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/622 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि. ग्रा. तक "ई" मान के लिए 100 से 5,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5,000 से 50,000 तक की रेंज में सत्यापन मान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

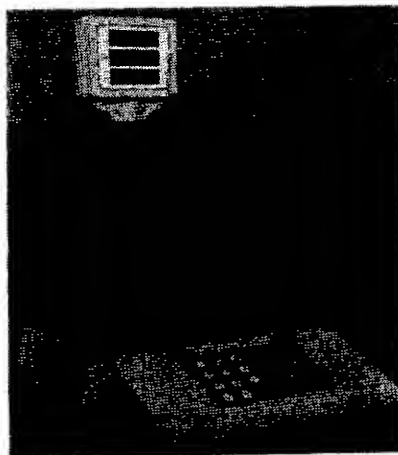
[फा. सं. डब्ल्यू एम-21(92)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 428.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of "MS-J" series of high accuracy (Accuracy class-II) and with brand name "METASUN" (hereinafter referred to as the said model), manufactured by M/s Metasun Telecom Pvt. Ltd., Plot No. 168, 169 & 170, Mahesh Nagar, Kapra, ECIL Post, Hyderabad-500 062, A.P. and which is assigned the approval mark IND/09/05/622;



The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 5,000 for 'e' value of 1mg. to 50mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(92)/2005]

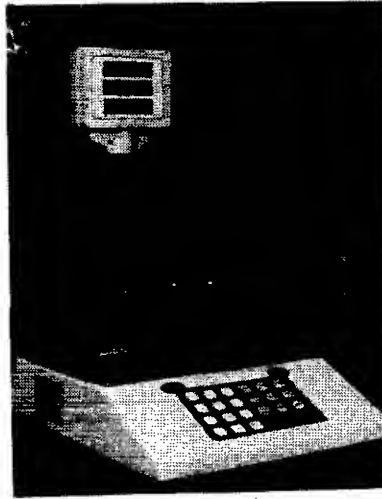
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 429.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेटासुन टेलीकाम प्राइवेट लिमिटेड, प्लॉट सं. 168, 169 और 170, महेश नगर, कपरा, ई सी आई एल डाकघर, हैदराबाद-500062 आंध्र प्रदेश द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम एस टी" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटासुन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/623 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (टेबल टॉप प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्राम है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यक्तनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान के लिए 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(92)/2005]

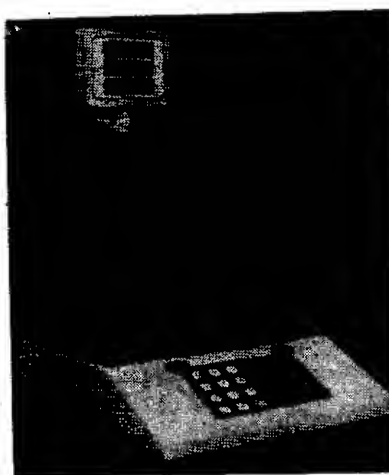
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 429.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of “MS-T.” series of medium accuracy (Accuracy class-III) and with brand name “METASUN” (hereinafter referred to as the said model), manufactured by M/s. Metasun Telecom Pvt. Ltd., Plot No. 168 and 169 and 170, Mahesh Nagar, Kapra, ECIL Post, Hyderabad-500062, A.P. and which is assigned the approval mark IND/09/2005/623;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being is the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(92)/2005]

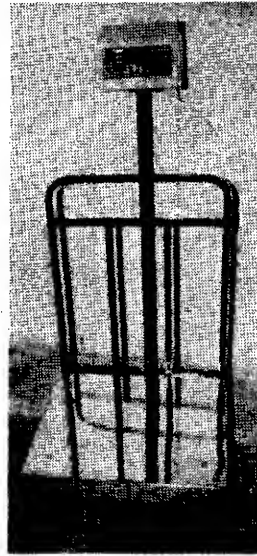
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 430.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेडसुन टेलीकाम प्राइवेट लिमिटेड, प्लॉट सं. 168, 169 और 170, महेश नगर, कपरा, ई सी आई एल डाकघर, हैदराबाद-500062 आंध्र प्रदेश द्वारा निर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “एम एस पी पी” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मेडसुन” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/624 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल एक विकृति गेज प्रकार का लोड सेल आधारित अस्वचालित (प्लेटफार्म प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 600 कि. ग्रा. और न्यूनतम क्षमता 2.5 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 50 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 50,000 तक की रेंज में सत्यापन मापमान (एन) अंतराल सहित 50 कि.ग्रा. से अधिक और 1000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(92)/2005]

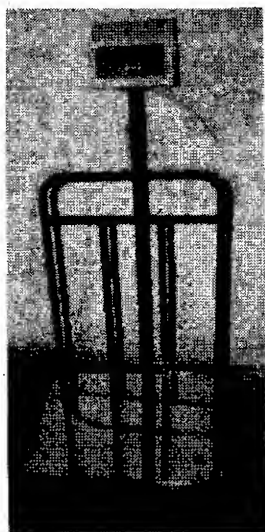
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 430.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of "MS-PP" series of high accuracy (Accuracy class-II) and with brand name "METASUN" (hereinafter referred to as the said model), manufactured by M/s. Metasun Telecom Pvt. Ltd., Plot No. 168, 169 and 170, Mahesh Nagar, Kapra, ECIL Post, Hyderabad-500062, A.P. and which is assigned the approval mark IND/09/05/624;

The said model (see the figure given below) is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 600 kg. and minimum capacity of 2.5 kg. The verification scale interval (e) is 50g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) indicates the weighing results. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity ranging above 50 kg. to 1000 kg and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being is the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design, accuracy and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(92)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 431.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मेटासन टेलिकाम प्राइवेट लिमिटेड, प्लॉट सं. 168, 169 और 170, महेश नगर, कपरा, ई. सी. आई. एल. पोस्ट, हैदराबाद-500062 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एम एस-पी टी" शृंखला के अंकक सूचन सहित, अस्वचालित, स्वतःसूचक तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मेटासन" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2005/625 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक विकृति गेज प्रकार का भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(92)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 431.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic (Platform type) weighing instrument with digital indication of "MS-PT." series of medium accuracy (Accuracy Class-III) and with brand name "METASUN" (hereinafter referred to as the said model), manufactured by M/s. Metasun Telecom Pvt. Ltd., Plot No. 168, 169 & 170, Mahesh Nagar, Kapra, ECIL Post, Hyderabad-500062, A.P. and which is assigned the approval mark IND/09/05/625;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternat current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of same series with maximum capacity up to 50 kg and upto 5000. kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

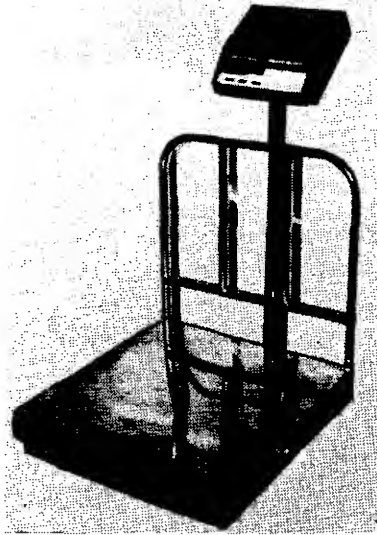
[F. No. WM-21(92)/2005]

P. A. KRISHNAMOORTHY, Director of L. & M. Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 432.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स आई पी ए डिवाइसेस प्राइवेट लिमिटेड # 469 चतुर्थ फेस, पोन्ना इण्डस्ट्रीयल एस्टेट एरिया, बंगलौर-560058 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पी बी सी" श्रृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सी यू टी ई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/633 समुद्देशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गैज प्रकार का लोड सेल आधारित अस्वचालित (प्लेट फार्म प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(66)/2005]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 432.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (See the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic (Platform type) weighing instrument with digital indication of "PBC" series of medium accuracy (Accuracy Class-III) and with brand name "CUTE" (hereinafter referred to as the said model), manufactured by M/s. IPA Devices Pvt. Ltd., # 464, IVth Phase, Peenya Industrial Area, Bangalore-560058 and which is assigned the approval mark IND/09/05/633;



The said model is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and upto 5000 kg. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured

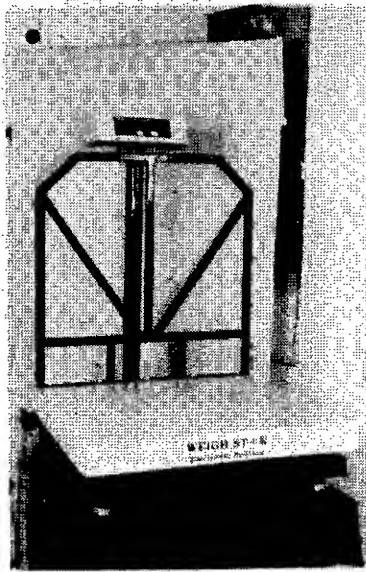
[F. No. WM-21(66)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 433.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स ज़राना इंस्ट्रूमेंट कम्पनी, प्लॉट नं. जी-17, एम आई डी सी, इण्डस्ट्रीयल एरिया, अमरावती-444604 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एच बी-1000 के” शृंखला के अंकक सूचन सहित, स्वतः सूचक, अस्वचालित, तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “व्हे एस टी*आर” है (जिसे उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/1106 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गैज प्रकार का लोड सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल का निर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(217)/2005]

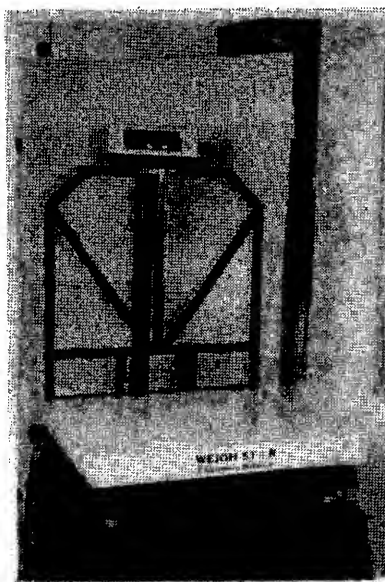
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 433.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of self indicating, non-automatic (Platform type) weighing instrument with digital indication of "HB-1000K" series of medium accuracy (Accuracy class-III) and with brand name "WEIGH ST*R" (hereinafter referred to as the said model), manufactured by M/s Zarna Instruments Company, Plot No G-17, M.I.D.C. Industrial Area, Amravati-444 605, M.S. and which is assigned the approval mark IND/09/05/1106;

The said model (see the figure given below) is a strain gauge type load cell based weighing instrument with a maximum capacity of 1000 kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of same series with maximum capacity above 50kg and upto 5000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured.

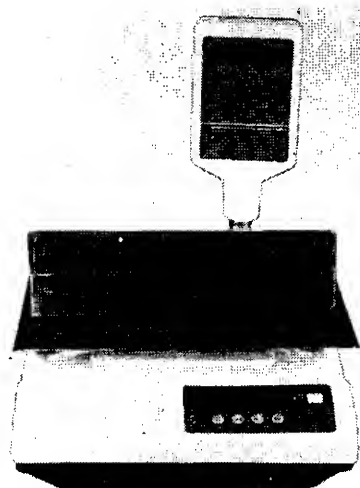
[F. No. WM-21(217)/2005]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 434.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स प्रीत एंटर प्राइजेज, 184, स्मृति विहार सोसायटी, बी/एच स्मृति मंदिर, पी.डी. पांडया कालेज रोड, (पोड़ासा) वल्वा, अहमदाबाद द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एम ए एस” शृंखला के अंकक सूचन सहित, अस्वचालित, तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम “मास्टर” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/585 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल एक विकृत गैज प्रकार का लोड सेल आधारित अस्वचालित तोलन उपकरण है। (टेबल टॉप प्रकार का) इसकी अधिकतम क्षमता 15 कि. ग्रा. और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट के मुद्रांकन के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक “ई” मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

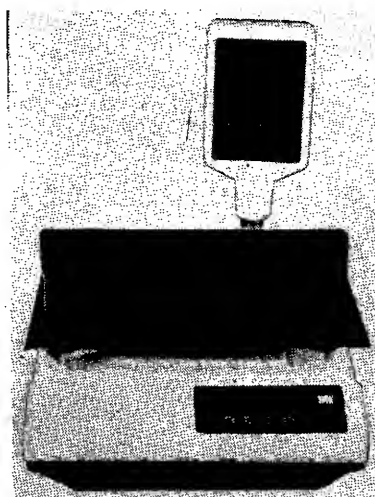
[फा. सं. डब्ल्यू एम-21(266)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 434.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Table top type) weighing instrument with digital indication of "MAS" series of medium accuracy (Accuracy class-III) and with brand name "MASTER" (herein after referred to as the said model), manufactured by M/s Preet Enterprise, 184, Smurti Vihar Society, B/H Smurti Mandir, P.D. Pandya College, Road, (Ghodasar), Vatva, Ahmedabad and which is assigned the approval mark IND/09/05/585;



The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 15 kg. and minimum capacity of 40g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternative current power supply.

In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g or with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(266)/2003]

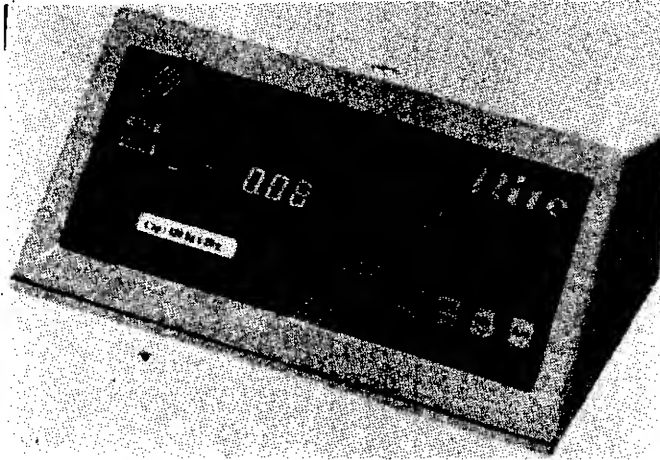
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 435.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एनकार्डियोराइट इलेक्ट्रॉनिक प्राइवेट लिमिटेड, ए-7, इंडस्ट्रीयल एस्टेट, तालकटोरा रोड, लखनऊ-226011 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ई एच एस" शृंखला के अंकक सूचन सहित स्वतःसूचक, अस्वचालित, तोलन उपकरण (लटकने वाला स्केल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "राइट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/564 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक प्रतिबल तुलादण्ड प्रकार का भार सैल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टैमिंग प्लेट के मुद्रांकन करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान अंतराल (एन) सहित 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(189)/2001]

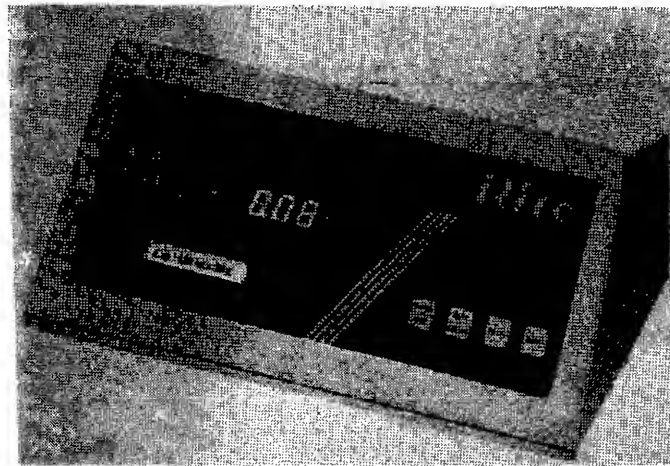
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 435.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Hanging Scale) weighing instrument with digital indication of "EHS" series of medium accuracy (Accuracy class-III) and with brand name "RITE" (herein referred to as the said model), manufactured by M/s Encardio-Rite Electronics Private Limited, A-7, Industrial Estate, Talkatora Road, Lucknow-226011 and which is assigned the approval mark IND/09/2004/564;

The said model (see the figure given below) is a shear beam type load cell based weighing instrument with a maximum capacity of 1000 kg and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50,000kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more with 'e' value of 1×10^k , 2×10^k , or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer with the same principle, design and with the same materials with which, the said approved model has been manufactured

[F. No WM-21(189)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 436.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एनकार्डियोरॉइट इलेक्ट्रॉनिक्स प्राइवेट लिमिटेड, ए-7, इंडस्ट्रीयल एस्टेट, तालकटोरा रोड, लखनऊ-226011 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “ई सी के” श्रृंखला के अंकक सूचन सहित स्वतःसूचक, अस्वचालित, तोलन उपकरण (वेब्रिज प्रकार के लिए क्वॉर्शन किट) के मॉडल का, जिसके ब्रांड का नाम “राइट” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/565 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।



उक्त मॉडल (दी गई आकृति देखें) एक प्रतिबल तुलादण्ड प्रकार का भार सैल आधारित (वेब्रिज के लिए संपरिवर्तन किट) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 कि.ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में मापमान अन्तराल (एन) सहित 5 टन से अधिक और 100 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^6 , 2×10^6 या 5×10^6 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(189)/2001]

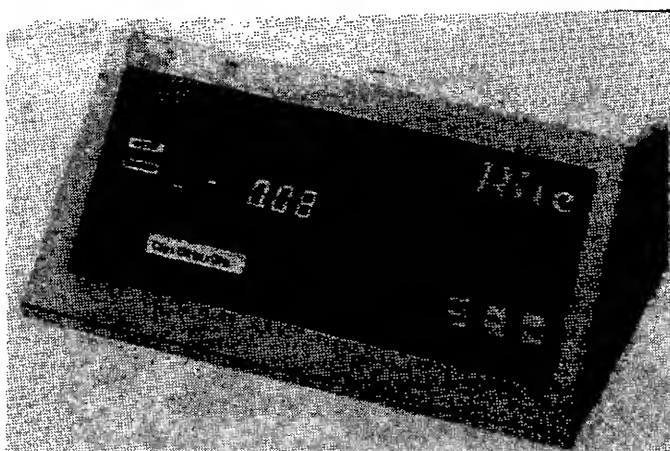
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 436.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self indicating, non-automatic (Conversion kit for weigh bridge type) weighing instrument with digital indication of "ECK" series of medium accuracy (Accuracy class-III) and with brand name "RITE" (hereinafter referred to as the said model), manufactured by M/s Encardio-Rite Electronics Private Limited, A-7, Industrial Estate, Talkatora Road, Lucknow-226011 and which is assigned the approval mark IND/09/2004/565;

The said model (see the figure given below) is a shear beam type load cell based non-automatic weighing instrument (conversion kit for weigh bridge) with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent the opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and up to 100 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 1 kg. or more and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved said model has been manufactured.

[F. No. WM-21(189)/2001]

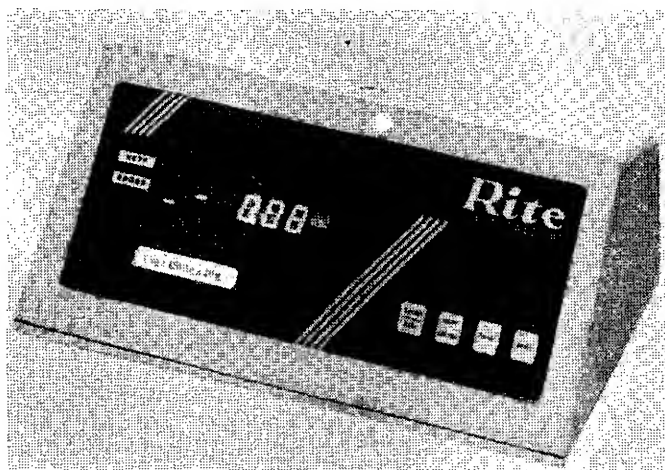
P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

का.आ. 437.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स एनकार्डियोराइट इलेक्ट्रॉनिक प्राइवेट लिमिटेड, ए-7, इंडस्ट्रीयल एस्टेट, तालकटोरा रोड, लखनऊ-226011 द्वारा निर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "ई टी डब्ल्यू" शृंखला के अंकक सूचन सहित स्वतःसूचक, अस्वचालित, तोलन उपकरण (इलेक्ट्रॉनिक टैंक तोलन स्केल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "राइट" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2004/566 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) एक प्रतिबल तुलादण्ड प्रकार का भार सैल आधारित (इलेक्ट्रॉनिक टैंक तोलन स्केल) अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 120 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श, परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट, 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



स्टाम्पिंग प्लेट को मुद्रांकित करने के अतिरिक्त कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उप-धारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन के अनुसार और उसी सामग्री से जिससे अनुमोदित मॉडल विनिर्मित किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में मापमान अंतराल (एन) सहित 50 कि.ग्रा. से अधिक और 300 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(189)/2001]

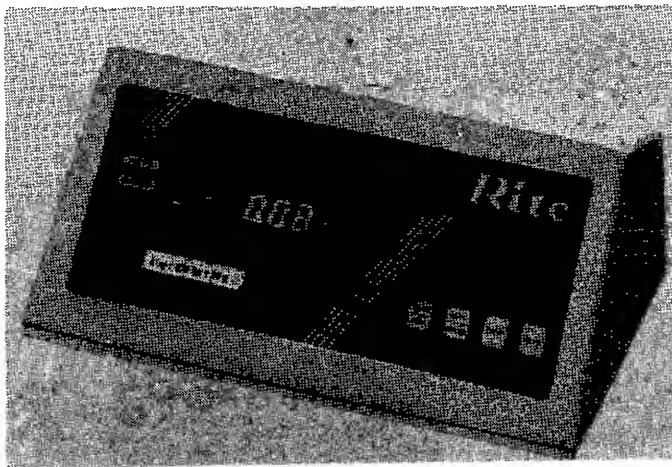
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 437.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic (Electronic tank Weighing Scale) weighing instrument with digital indication of "ETW" series of medium accuracy (Accuracy class-III) and with brand name "RITE" (herein referred to as the said model), manufactured by M/s Encardio-Rite Electronics Private Limited, A-7, Industrial Estate, Talkatora Road, Lucknow-226011 and which is assigned the approval mark IND/09/2004/566;

The said model (see the figure given below) is a shear beam type load cell based non-automatic weighing instrument (Electronic tank Weighing Scale) with a maximum capacity of 120 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.



In addition to sealing the stamping plate, sealing shall also be done to prevent from opening of the machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity above 50kg and up to 300 kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value 1×10^k , 2×10^k , 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same material with which, the approved said model has been manufactured.

[F. No. WM-21(189)/2001]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

नई दिल्ली, 18 जनवरी, 2006

क्र.आ. 438.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा जारी अनुमोदित प्रमाणपत्र के साथ उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उप-धारा (7) और (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स मीडिको लिमिटेड, प्लॉट सं. 39/44, स्कीम-6, रोड-2, सीओन (ई) मुंबई-400022 महाराष्ट्र द्वारा विनिर्मित “एम एस एम III एस” श्रृंखला के सादृश सूचन सहित वितरण पंप के मॉडल का, जिसके ब्रांड का नाम “मीडिको” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/05/592 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी और प्रकाशित करती है।



उक्त मॉडल अविपर्यस्त योग करने वाला धनात्मक विस्थापन मीटर सहित वितरक पंप है। इसकी प्रवाह क्षमता 35 लीटर/मिनट है। यह धन या आयतन के लिए प्रीसेट युति है। प्रदर्श सादृश प्रकार का है। इसका अधिकतम उपदर्शित आयतन 99.99 लीटर और लघुतम प्रदर्श 10 मि ली है।

स्टाम्पिंग प्लेट को मुद्रांकन के अतिरिक्त मशीन को कपटपूर्ण व्यवहारों के लिए खोलने से रोकने के लिए सीलबंद भी किया जाएगा।

[फा. सं. डब्ल्यू एम-21(295)/2003]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 18th January, 2006

S.O. 438.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of Dispensing Pump with analog indication of “MMM 111S” series with brand name “MIDCO” (herein after referred to as the said model), manufactured by M/s Midco Limited, Plot No. 39/44, Scheme-6, Road-2, Sion (E) Mumbai-400022, Maharastra and which is assigned the approval mark IND/09/05/592;



The said model is a mechanical dispensing pump with positive displacement meter along with mechanical non-reversible totalizer. The maximum flow rate is 35 litre per minute. It has preset device for money and volume. The display is of analog type. The maximum volume indicated is in 99.99 litre and the smallest display is 10ml.

In addition to sealing the stamping plate, sealing shall also be done on the metering unit and totalizer to prevent from opening of the machine for fraudulent practices.

[F. No. W-21(295)/2003]

P. A. KRISHNAMOORTHY, Director of Legal Metrology

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 27 जनवरी, 2006

का.आ. 439.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 812(अ) तारीख 10-6-2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा महाराष्ट्र राज्य में दहेज-हजीरा-उरान एवं स्पर पाइपलाईनों के माध्यम से प्राकृतिक गैस के परिवहन के लिए पाइपलाईन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 07-07-2005 तक उपलब्ध करा दी गई थी;

और पाइपलाईन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और सक्षम प्राधिकारी ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाईन बिछाने के लिए अपेक्षित हैं, उस में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाईन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाईन बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए, पाइपलाईन बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ. यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
(1)	(2)	(3)	(4)	(5)
सुरत	चोर्यासी	विहाल	06	00-20-13
			08	00-33-00
		नहर		00-08-70
			09	00-28-85
			10/पी-1	00-01-75
			योग	00-92-43

(1)	(2)	(3)	(4)	(5)
सुरत	चोर्यासी	वंकला	बैलगाड़ी रास्ता	00-02-19
			109	00-44-97
			108	00-12-30
			153	00-67-80
			106	00-09-36
			योग	01-36-62

[फा. सं. एल-14014/20/04-जी.पी.]

एस.बी. मण्डल, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 27th January, 2006

S.O. 439.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 812(E) dated 10-06-2005 issued under sub-section (1) of Section 3 of the the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of natural gas through Dahej-Hazira-Uran and its spur pipelines in the State of Gujarat by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public on the 07-07-2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government has, after considering the said report, decided to acquire the Right of User in the lands specified in the Schedule;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on this date of the publication of the declaration in the GAIL (India) Limited, free from all encumbrances.

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Area to be Acquired for R.O.U. (in Hectares)
1	2	3	4	5
Surat	Choryasi	Vihal	06	00-20-13
			08	00-33-00
			Canal	00-08-70
			09	00-28-85
			10/P-1	00-01-75
			Total	00-92-43
		Vankala	Cart	00-02-19
			Track	
			109	00-44-97
			108	00-12-30
			153	00-67-80
			106	00-09-36
			Total	01-36-62

[F. No. L-14014/20/04-G.P.]

S.B. MANDAL, Under Secy.

नई दिल्ली, 27 जनवरी, 2006

का.आ. 440.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में दहेज-हजीरा-उरान एवं स्पर पाइपलाईनों द्वारा प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाईन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाईन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाईन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाईन बिछाए जाने के संबंध में, श्री के.एन. कशिवले, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, गेल आशियाना भवन, सेक्टर 8बी, 3डी2, सी.बी.डी., बेलापुर, नवी मुम्बई-400 614 (महाराष्ट्र) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ. यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
(1)	(2)	(3)	(4)	(5)
रायगड	पनवेल	नेरे	96/4	00-05-00
		वाकडी	139/13	00-03-00
			153/0	00-02-00

[फा. सं. एल-14014/20/04-जी.पी. (भाग-1)]

एस.बी. मण्डल, अवर सचिव

New Delhi, the 27th January, 2006

S.O. 440.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran and its spur pipelines in the State of Maharashtra, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the Pipeline under the land to Shri K.N. Kashivale, Competent Authority, GAIL (India) Limited, GAIL Ashiyana Building, Sector 8B, 3D2, C.B.D. Belapur, Navi Mumbai-400 614 (Maharashtra).

SCHEDULE

Distt.	Taluka	Village	Survey No.	Area to be Acquired for R.O.U. (in Hectares)
1	2	3	4	5
Raigad	Panvel	Nera	96/4	00-05-00
Raigad	Panvel	Vakadi	139/13	00-03-00
			153/0	00-02-00

[F. No. L-14014/20/04-G.P. (Part-I)]

S. B. MANDAL, Under Secy.

(1) (2) (3) (4) (5)

ठाणे	भिवंडी	लाप बुद्रुक	140पै	00-10-48
			114/1	00-02-29
			41पै	00-24-71
			100/3	00-01-00

ठाणे	भिवंडी	आन्हे	2/ए	00-87-00
ठाणे	भिवंडी	किरबली- दरबली	127/1	00-01-00

ठाणे	भिवंडी	दिघासी	179	00-67-00
ठाणे	भिवंडी	जांभिवली	61/1	00-05-60
ठाणे	वाडा	चिंचघर	199	00-05-50
ठाणे	वाडा	बिलोशी	225/सी	00-08-20
ठाणे	वाडा	कमलखांड	डब्लू 4	00-03-00
ठाणे	वाडा	कमलखोरी	122	00-14-00

ठाणे	वाडा	खानिवली	133	00-14-00
ठाणे	वाडा	बिलावली	246/बी	00-22-00
			2.39/सी	00-01-50
ठाणे	वाडा	विजयगड	14/12	00-09-00
			14/11	00-01-00
ठाणे	वाडा	मुसारणे	355	00-32-00
			357	00-03-40
ठाणे	वाडा	भोपीवली	188	00-02-00
ठाणे	वाडा	बुधावली	180	00-01-00

अनुसूची

	130/सी	00-04-00
	नदी	00-08-00
ठाणे	206/पै	00-01-00
विक्रमगड	197/पै	00-36-00
कुर्णे	196/पै	00-01-00
	218	00-01-00
	219	00-01-00
	224	00-11-00
	242	01-05-00
	299	00-01-00
	297	00-23-00
	298	00-23-00
	295	00-05-00
	294	00-21-00
	300	00-59-00
	301	00-32-00
	307	00-56-00
	310	00-05-00
	311	00-06-00
	312	00-12-00
	475	00-46-00
	498	00-10-00
	511	00-09-00
	नदी	00-24-00
	203	00-64-20

1	2	3	4	5
ठाणे	विक्रमगड	आपटी बुद्रुक	32	00-00-20
			704	00-00-50
ठाणे	विक्रमगड	मुरबाड	24 डब्लू	00-64-00
ठाणे	डहाणू	आंबोली	182	00-01-00
ठाणे	डहाणू	बाघाडी	319	00-15-00
			39	00-04-00
ठाणे	डहाणू	ओसरविरा	42	00-18-00
ठाणे	डहाणू	देऊर	122	00-25-00
ठाणे	तलासरी	अणवीर	111 पै	00-28-00
ठाणे	तलासरी	सुत्रकार	122	00-25-00
ठाणे	तलासरी	बोरमाल	59	00-18-00

[फा. सं. एल-14014/20/04-जी.पी. (भाग-I)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 27th January, 2006

S.O. 441.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran and its spur pipelines in the State of Maharashtra, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the Pipeline under the land to Shri K. N. Kashivale, Competent Authority, GAIL (India) Limited, GAIL Ashiyana Building, Sector 8B, 3D2, C.B.D. Belapur, Navi Mumbai-400 614 (Maharashtra).

SCHEDULE

Distt.	Taluka	Village	Survey No.	Area to be Acquired for R.O.U. (in Hectares)
1	2	3	4	5
Thane	Ambernath	Wadi	22/2P	00-03-50
Thane	Ambernath	Sakharoli	26P	00-26-00
Thane	Ambernath	Kushivali	92P	00-09-00
Thane	Ambernath	Chikhaloli	13/1P	00-33-00

1	2	3	4	5
Thane	Ambernath	Chikhaloli	144P	00-13-00
			123P	01-17-00
Thane	Kaylyan	Rayate	120	00-04-00
Thane	Kaylyan	Rundhe	66/A/22/23/25P	00-62-00
Thane	Kaylyan	Chinchawali	11/8/2P	00-05-00
Thane	Kaylyan	Nadgam	168P	00-55-50
		Turfe		
		Pitambari		
Thane	Kaylyan	Jambul	39/1P	00-17-00
		Moholi	39/2P	00-05-00
Thane	Kaylyan	Manjarli	53P	00-65-00
			51P	00-01-00
Thane	Bhiwandi	Lap Budruk	140P	00-10-48
			114/1	00-02-29
			41P	00-24-71
			100/3	00-01-00
Thane	Bhiwandi	Anhe	2/A	00-87-00
Thane	Bhiwandi	Kirawali	127/1	00-01-00
		Durawali		
Thane	Bhiwandi	Dighashi	179	00-67-00
Thane	Bhiwandi	Jambhivali	61/1	00-05-60
Thane	Wada	Chinchghar	199	00-05-50
Thane	Wada	Biloshi	225C	00-08-20
Thane	Wada	Kalamkhand	W-4	00-03-00
Thane	Wada	Khanivali	133	00-14-00
Thane	Wada	Bilavali	246/B	00-22-00
			239/C	00-01-50
Thane	Wada	Vijaygad	14/12	00-09-00
			14/11	00-01-00
Thane	Wada	Musarne	355	00-32-00
			357	00-03-40
Thane	Wada	Bhopivali	188	00-02-00
Thane	Wada	Budhaval	180	00-01-00
			130	00-04-00
			River	00-08-00
Thane	Vikramgad	Kurze	206P	00-01-00
			197P	00-36-00
			196P	00-01-00
			218	00-01-00
			219	00-01-00
			224	00-11-00
			242	01-05-00
			299	00-01-00
			297	00-23-00
			298	00-23-00
			295	00-05-00
			294	00-21-00
			300	00-59-00
			301	00-32-00
			307	00-56-00
			310	00-05-00

(1)	(2)	(3)	(4)	(5)	अनुसूची				
Thane	Vikramgad	Kurze	311	00-06-00	जिला	तहसील	गाँव	सर्वे नं.	आर.ओ. यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
			312	00-12-00					
			475	00-46-00					
			498	00-10-00					
			511	00-09-00					
			River	00-24-00					
			203	00-64-20					
Thane	Vikramgad	Apti-Budruk	32	00-00-20					
			704	00-00-50					
Thane	Vikramgad	Murbad	24W	00-64-00					
Thane	Dahanu	Amboli	182	00-01-00					
Thane	Dahanu	Vaghadi	319	00-15-00					
			39	00-04-00	ठाणे	कल्याण	मानिवली	54/A	00-04-28
Thane	Dahanu	Osarvira	42	00-18-00				53	00-16-29
Thane	Dahanu	Devur	122	00-25-00				52	00-05-14
Thane	Talasari	Anvir	111P	00-28-00				50	00-00-84
Thane	Talasari	Sutrakar	122	00-25-00				44	00-28-04
Thane	Talasari	Bormal	59	00-18-00				49	00-06-33
								48	00-10-42
								66	00-19-15
								67	00-08-93
								69	00-44-62
								20	02-17-93
								17	00-00-95
								16	00-03-17
								85	00-15-35
								84	00-09-74
								93	00-26-27
								91	00-54-88
								117	00-19-36
								119	00-33-40
								116	00-03-06
								113	00-18-18
								111	00-55-83
								109	00-22-97
					ठाणे	कल्याण	उंबारनी	32	00-23-77
								31	00-33-97
					ठाणे	कल्याण	मोहीली	41	00-66-99
								18	00-01-65
								19/डी	00-03-15
								19/ए	00-99-17
								27	00-00-57
					ठाणे	कल्याण	गोलेगांव	28	00-00-59
								29	00-52-81
								32	00-01-01
								36	00-10-70
								1	00-34-05
								3	00-21-32

[F. No. L-14014/20/04-G.P. (Part-I)]

S.B. MANDAL, Under Secy.

नई दिल्ली, 27 जनवरी, 2006

का.आ. 442.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि महाराष्ट्र राज्य में दहेज-हजिरा-उरान एवं स्पर पाइपलाईनों द्वारा प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाईन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाईन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाईन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है ;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाईन बिछाए जाने के संबंध में, श्री के.एन. कशिवले, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, गेल आशियाना भवन, सेक्टर 8बी, 3डी2, सी.बी.डी., बेलापुर, नवी मुम्बई-400614 (महाराष्ट्र) को लिखित रूप में आपेक्ष भेज सकेगा।

(1)	(2)	(3)	(4)	(5)
ठाणे	कल्याण	गोलेगांव	4	00-15-14
			6	00-29-66
			11	00-24-10
			38	00-19-13
			16	00-36-71
ठाणे	कल्याण	मोहने	36	00-29-58
			35	00-10-06
			28	00-21-23
			28/1	00-00-14
			NRC Area	01-67-84
			70	00-15-31
			37	00-15-19
			38	00-03-29
			34	00-39-61
			45	00-54-54
			73	00-00-43
			44	00-41-08
			71	00-09-93
ठाणे	कल्याण	वडवली	43	00-12-60
			45	00-57-56
			43	00-63-24
			35	00-24-94
			34	00-00-24
			33	00-08-74
			32	00-48-92
			50	00-43-15
ठाणे	कल्याण	साहाड	51	00-23-63
			51	00-76-91
			53	00-21-49
			55	00-89-74
			54	00-17-01
			56	00-31-98

[फा. सं. एल-14014/20/04-जी.पी. (भाग-I)]

एस. बी. मण्डल, अवर सचिव

New Delhi, the 27th January, 2006

S.O. 442.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran and its spur pipelines in the State of Maharashtra, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to

be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the Pipeline under the land to Shri K.N. Kashivale, Competent Authority, GAIL (India) Limited, GAIL Ashiyana Building, Sector 8B, 3D2, C.B.D., Belapur, Navi Mumbai-400614 (Maharashtra).

SCHEDULE

Distt.	Taluka	Village	Survey No.	Area to be Acquired for R.O.U. (in Hectares)
(1)	(2)	(3)	(4)	(5)
Thane	Kaylyan	Ghotsai	167	00-20-30
			66	00-12-02
			99	00-33-72
			103	00-53-22
			104	00-08-08
			06	00-42-05
			107	00-01-17
			54/A	00-04-28
Thane	Kaylyan	Manivali	53	00-16-29
			52	00-05-14
			50	00-00-84
			44	00-28-04
			49	00-06-33
			48	00-10-42
			66	00-19-15
			67	00-08-93
			69	00-44-62
			20	02-17-93
			17	00-00-95
			16	00-03-17
			85	00-15-35
			84	00-09-74

1	2	3	4	5	1	2	3	4	5
Thane	Kaylyan	Manivali	93	00-26-27	Thane	Kaylyan	Vadavali	34	00-00-24
			91	00-54-88				33	00-08-74
			117	00-19-36				32	00-48-92
			119	00-33-40				50	00-43-15
			116	00-03-06				51	00-23-63
			113	00-18-18			Shahad	51	00-76-91
			111	00-55-83				53	00-21-49
			109	00-22-97				55	00-89-74
		Umbarni	32	00-23-77				54	00-17-01
			31	00-33-97				56	00-31-98
		Mohili	41	00-66-99	[F. No. L-14014/20/04-G.P. (Part-I)] S. B. MANDAL, Under Secy.				
			18	00-01-65					
			19/D	00-03-15	नई दिल्ली, 27 जनवरी, 2006				
			19/A	00-99-17					
			27	00-00-57	का.आ. 443.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 552(अ) तारीख 12, अप्रैल, 2005 द्वारा, उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गेल (इण्डिया) लिमिटेड द्वारा गुजरात राज्य में दहेज-हजीरा-उरान एवं स्पर पाइपलाइनों के माध्यम से प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;				
		Galegaon	28	00-00-59					
			29	00-52-81	और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 04 मई, 2005 से 05 मई, 2005 तक उपलब्ध करा दी गई थी;				
			32	00-01-01					
			36	00-10-70	और पाइपलाइन बिछाने के संबंध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विचार कर लिया गया है और उन्हें अननुज्ञात कर दिया गया है;				
			1	00-34-05					
			3	00-21-32	और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;				
			4	00-15-14					
			6	00-29-66	और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइनों बिछाने के लिए अपेक्षित है, उस में उपयोग के अधिकार का अर्जन करने का निश्चय किया है;				
			11	00-24-10					
			38	00-19-13	अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइनों बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;				
			16	00-36-71					
		Mohane	36	00-29-58	और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्देश देती है कि पाइपलाइनों बिछाने के लिए भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन				
			35	00-10-06					
			28	00-21-23					
			28/1	00-00-14					
			NRC Area	01-67-84					
			70	00-15-31					
			37	00-15-19					
			38	00-03-29					
			34	00-39-61					
			45	00-54-54					
			73	00-00-43					
			44	00-41-08					
			71	00-09-93					
			43	00-12-60					
		Vadavali	45	00-57-56					
			43	00-63-24					
			35	00-24-94					

की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए, पाइपलाइनों बिछाने का प्रस्ताव करने वाली गेल (इण्डिया) लिमिटेड में निहित होगा और तदुपरि, भूमि में ऐसे उपयोग का अधिकार, इस प्रकार अधिरोपित निबंधनों और शर्तों के अधीन रहते हुए, सभी विल्लंगमों से मुक्त, गेल (इण्डिया) लिमिटेड में निहित होगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ. यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
सुरत	चोर्यासी	खाजोड़	53/1	
			53/2	
			ब्लॉक नं.	
			72	0-15-18
			कुल	0-15-18
		आभवा	385/1अ	
			385/1ब	0-10-95
			388	0-08-77
			418	0-01-20
			416	0-26-24
			424	0-34-65
			450	0-05-48
			कुल	0-87-29

[फा. सं. एल-14014/20/04-जी.पी.]

एस.बी. मण्डल, अवर सचिव

New Delhi, the 27th January, 2006

S.O. 443.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 552(E) dated the 12th April, 2005 issued under Sub-section (1) of Section 3 of the the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipelines for transportation of natural gas through Dahej-Hazira-Uran and its Spur pipelines in the State of Gujarat by the GAIL (India) Limited;

And whereas copies of the said Gazette notification were made available to the public from 4th May, 2005 to 5th May, 2005;

And whereas the objections received from the public to the laying of the pipeline have been considered and disallowed by the Competent Authority;

And whereas the Competent Authority has, under Sub-section (1) of Section 6 of the said Act, submitted its report to the Central Government;

And whereas the Central Government after considering the said report and on being satisfied that the said land is required for laying the pipelines, has decided to acquire the Right of User therein.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the Right of User in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipelines;

And further, in exercise of the powers conferred by Sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the Right of User in the land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of the publication of the declaration in the GAIL (India) Limited, proposing to lay the pipelines and thereupon the right of such user in the land shall, Subject to the terms and conditions so imposed, vest in the GAIL (India), free from all encumbrances.

SCHEDULE

Distt.	Tehsil	Village	Survey No.	Area to be Acquired for R.O.U. (in Hectare)
Surat	Choryasi	Khajod	53/1	
			53/2	
			Block No.	
			72-1	0-15-18
			Total	0-15-18
		Abhva	385/1A	
			385/1B	0-10-95
			388	0-08-77
			418	0-01-20
			416	0-26-24
			424	0-34-65
			450	0-05-48
			Total	0-87-29

[F. No. L-14014/20/04-G.P.]

S. B. MANDAL, Under Secy.

नई दिल्ली, 27 जनवरी, 2006

का.आ. 444.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में दहेज-हजीरा-उरान एवं स्पर पाइपलाईनों द्वारा प्राकृतिक गैस के परिवहन के लिए गेल (इण्डिया) लिमिटेड द्वारा, एक पाइपलाईन बिछाई जानी चाहिए;

और केन्द्रीय सरकार को उक्त पाइपलाईन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उस भूमि में, जिसमें उक्त पाइपलाईन बिछाए जाने का प्रस्ताव है और जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है, उपयोग के अधिकार का अर्जन किया जाए;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको उक्त अधिनियम की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाईन बिछाए जाने के संबंध में, श्री जे.पी. दीवान, सक्षम प्राधिकारी, गेल (इण्डिया) लिमिटेड, मनीषा सर्किल, ओल्ड पादरा रोड, वड़ोदरा-390015 (गुजराज) को लिखित रूप में आपेक्ष भेज सकेगा।

अनुसूची

जिला	तहसील	गाँव	सर्वे नं.	आर.ओ. यू. अर्जित करने के लिए क्षेत्रफल (हेक्टेयर में)
1	2	3	4	5
सुरत	चोर्यासी	भाटपोर	459	00-13-20
			464	00-00-73
			455	00-05-81
			451	00-19-49
			452	00-17-21
			442	00-01-80
			441	00-08-14
			बैलगाड़ी रास्ता	00-00-15
			440	00-24-81
			437	00-10-20
			438	00-06-18
			435	00-61-69
योग			01-61-69	

[फा. सं. एल-14014/20/04-जी.पी.]

एस. बी. मण्डल, अवसर सचिव

New Delhi, the 27th January, 2006

S.O. 444.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transportation of natural gas through Dahej-Hazira-Uran and its spur pipelines in the State of Gujarat, a pipeline should be laid by the GAIL (India) Limited;

And, whereas it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the Right of User in the land under which the said pipeline is proposed to be laid and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the land described in the said Schedule may, within twenty one days from the date on which the copies of the notification issued under sub-section (1) of Section 3 of the said Act, as published in the Gazette of India are made available to the general public, object in writing to the laying of the Pipeline under the land to Shri J.P. Diwan, Competent Authority, GAIL (India) Limited, Manisha Circle, Old Padra Road, Vadodara-390015 (Gujarat).

SCHEDULE

Distt.	Tahsil	Village	Survey No.	Area to be acquired for R.O.U. (in Hectares)
1	2	3	4	5
Surat	Choryasi	Bhatpor	459	00-13-20
			464	00-00-73
			455	00-05-81
			451	00-19-49
			452	00-17-21
			442	00-01-80
			441	00-08-14
			Cart Track	00-00-15
			440	00-24-81
			437	00-10-20
			438	00-06-18
			435	00-61-69
Total			01-61-69	

[F. No. L-14014/20/04-G.P.]

S. B. MANDAL, Under Secy.

नई दिल्ली, 31 जनवरी, 2006

का. आ. 445.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2504 तारीख 05 जुलाई, 2005, जो भारत के राजपत्र तारीख 16 जुलाई, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मुन्द्रा-दिल्ली पेट्रोलियम उत्पाद पाइपलाइन के माध्यम से गुजरात राज्य में मुन्द्रा से दिल्ली तक पेट्रोलियम उत्पादों के परिवहन के लिए हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 31 अगस्त, 2005, को उपलब्ध करा दी गई थी ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने के बजाए, इस मंत्रालय के सहमति पत्र सं. आर - 31015/7/03 ओ.आर-II दिनांक 25/11/2004 द्वारा लगाई गई शर्तों के अध्याधीन सभी विल्लंगमों से मुक्त, हिन्दुस्तान पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : देसूरी		जिला : पाली		राज्य : राजस्थान	
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
1. मोरखा		607	0	04	53
		578	0	01	76
		575	0	01	91
		557	0	02	74
		560	0	00	96
		506	0	00	19
		502	0	00	49
		469	0	00	15
		470	0	01	84
2. मादा	9(स.नदी)	0	01	02	
	10	0	00	58	
	14	0	00	40	
	18	0	01	06	
	45	0	02	46	
3. सिन्दरली	903	0	01	63	
	797(स.भूमि)	0	01	58	
	785	0	00	96	
	725	0	01	31	
	724	0	00	30	
4. गुडा मांगलिया	721	0	01	63	
	176	0	00	60	
	218	0	00	69	
	221	0	00	23	
	265	0	01	30	
	259	0	00	28	
	255	0	00	48	
	249	0	00	85	
	243	0	00	14	
	303	0	00	56	
5. छोडा	359	0	00	46	
	78(स.खराच)	0	02	75	
6. गुडा पाटीया	79	0	01	08	
	116(स.रास्ता)	0	00	22	
	159(स.रास्ता)	0	00	48	
7. आना	167(स.नदी)	0	01	11	
	131(स.नदी)	0	00	10	
	130(स.भूमि)	0	02	02	
	129(स.रास्ता)	0	00	18	
	330	0	00	96	

तहसील : देसूरी		जिला : पाली		राज्य : राजस्थान	
क्रम सं.	गाँव का नाम	असरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
7. आना (जारी...)		327	0	00	51
		348	0	00	37
		351	0	00	50
		379	0	02	85
		383	0	00	92
		385	0	01	62
		545	0	00	90
		524(स.नाला)	0	00	99
		500	0	00	78
		464	0	00	87
		581	0	00	64
		604(स.रास्ता)	0	00	44
		609	0	00	20
		719	0	00	74
		721	0	04	00
		724	0	02	80
	8. सारंगवास	10(स.भूमि)	0	02	13
9. शोभावास	21	0	02	52	
	17	0	03	22	
	16	0	03	88	
	15	0	01	15	
	32	0	01	19	
	2(स.नाला)	0	00	15	
10. नारलाई	1621	0	01	48	
	1640(स.वाली)	0	00	51	
	1553	0	03	16	
	1473	0	00	34	
	1475	0	00	10	
	1497	0	00	22	
	1360(पी.डब्लू.डी.सड़क)	0	00	41	
	257	0	00	27	
	258	0	01	24	
	286	0	02	14	
11. चकसुजापुरा	131	0	00	59	
	127(स.रास्ता)	0	00	47	
	126	0	01	04	
	164(स.रास्ता)	0	00	49	
	249/276(स.भूमि)	0	00	20	
	249	0	00	57	
	242	0	01	03	
	243(स.मगरी)	0	00	57	

तहसील : देसूरी		जिला : पाली		राज्य : राजस्थान		
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल			
			हेक्टेयर	एयर	वर्ग मीटर	
1	2	3	4	5	6	
12. डेलड़ी		196	0	01	27	
		194	0	00	58	
		193	0	00	91	
		192	0	01	55	
		205(स.भूमि)	0	00	29	
		201	0	00	40	
		213	0	00	93	
		214/293(स.भूमि)	0	00	27	
		146(स.भूमि)	0	01	14	
		235(स.भूमि)	0	00	25	
		69(स.रास्ता)	0	00	31	
		68	0	00	20	
		61	0	00	32	
13. अटाटिया		257	0	00	82	
		250	0	00	49	
		254	0	00	58	
		111	0	00	95	
		144	0	00	52	
		141	0	00	71	
		140	0	00	46	
		149/396	0	01	10	
		135	0	01	37	
		121	0	00	56	
		122(स.वाली)	0	00	75	
	14. केसूली		397(स.नदी)	0	07	92
			380	0	01	16
		405/617	0	01	61	
		416(स.पाल)	0	00	56	
		415	0	01	41	
		410(स.भूमि)	0	00	43	
		463	0	01	16	
		465(स.भूमि)	0	00	33	
		520(स.भूमि)	0	05	98	
		364	0	01	34	
		362	0	00	26	
		345(स.भूमि)	0	00	60	
		186	0	00	55	
		187	0	01	37	
		170(स.वाला)	0	00	29	
	162/594(स.भूमि)	0	05	30		
	346(स.भूमि)	0	00	52		

तहसील : देसूरी		जिला : पाली		राज्य : राजस्थान	
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
14. केसूली (जारी...)		151	0	00	88
		147	0	01	37
		146	0	01	01
15. डायलाना कलां		70	0	01	08
		69	0	00	76
		115(स.रास्ता)	0	00	13
		162	0	01	06
		161	0	00	06
		140	0	01	84
		142	0	00	34
16. केरली		105(स.नदी)	0	00	37
		105/322(स.भूमि)	0	04	05
		104(स.भूमि)	0	97	42
17. टोकरला		162(स.भूमि)	0	00	61
		144	0	00	93
		130	0	02	10
		109	0	00	62
		108	0	02	32
		307	0	00	82
		320	0	00	76
18. कोलर		66(स.नाला)	0	00	62
		74	0	00	72
		63(स.रास्ता)	0	00	39
		49	0	02	38
		23	0	00	63
		20	0	00	87
		26	0	02	14
		30	0	00	44
		12	0	03	22
		1352(स.वाला)	0	00	28
19. खीवाड़ा		1342	0	02	38
		1335/4	0	09	65
		1330(स.भूमि)	0	03	65
		1323	0	00	20
		1321	0	00	40
		1262	0	02	70
		1236	0	02	61
		1144	0	00	89
		1147	0	00	69
		1151	0	00	61
		1021(स.रास्ता)	0	00	17

तहसील : देसूरी		जिला : पाली		राज्य : राजस्थान	
क्रम सं.	गाँव का नाम	खसरा सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
19.	खीवाड़ा (जारी...)	1004	0	07	80
		966	0	02	50
		846	0	01	11
		852(स.रास्ता)	0	00	10
		756(स.रास्ता)	0	00	08
		771	0	00	96
		793(स.आबादी)	0	00	74
20.	माताजीकागुड़ा	1	0	03	08
		4	0	02	62

[फा. सं. आर-31015/50ए/2004-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 31st January, 2006

S. O. 445.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2504 dated the 05th July, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 16th July, 2005, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from Mundra in the State of Gujarat to Delhi through Mundra-Delhi Petroleum Product Pipeline by Hindustan Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public on the **31st August, 2005;**

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of declaration, in Hindustan Petroleum Corporation Limited, free from all encumbrances, subject to the conditions imposed vide this Ministry's consent letter no. R-31015/7/03 OR- II dated 25-11-2004.

SCHEDULE

Tehsil : DESURI		District : PALI		State : RAJASTHAN	
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
1. MORKHA		607	0	04	53
		578	0	01	76
		575	0	01	91
		557	0	02	74
		560	0	00	96
		506	0	00	19
		502	0	00	49
		469	0	00	15
		470	0	01	84
2. MADA	9 (G/L River)	0	01	02	
	10	0	00	58	
	14	0	00	40	
	18	0	01	06	
	45	0	02	46	
3. SINDARLI	903	0	01	63	
	797 (G/L)	0	01	58	
	785	0	00	96	
	725	0	01	31	
	724	0	00	30	
	721	0	01	63	
4. GUDA MANGALIYA	176	0	00	60	
	218	0	00	69	
	221	0	00	23	
	265	0	01	30	
	259	0	00	28	
	255	0	00	48	
	249	0	00	85	
	243	0	00	14	
	303	0	00	56	
	359	0	00	46	
	78 (G/L Kharach)	0	02	75	
79	0	01	08		
6. GUDA PATIYA	116 (G/L Cart Track)	0	00	22	
	159 (G/L Cart Track)	0	00	48	
	167 (G/L River)	0	01	11	
7. ANA	131 (G/L River)	0	00	10	
	130 (G/L)	0	02	02	
	129 (G/L Cart Track)	0	00	18	
	330	0	00	96	

Tehsil : DESURI		District : PALI		State : RAJASTHAN	
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr
1	2	3	4	5	6
7. ANA (Contd...)		327	0	00	51
		348	0	00	37
		351	0	00	50
		379	0	02	85
		383	0	00	92
		385	0	01	62
		545	0	00	90
		524(G/L Nala)	0	00	99
		500	0	00	78
		464	0	00	87
		581	0	00	64
		604 (G/L Cart Track)	0	00	44
		609	0	00	20
		719	0	00	74
		721	0	04	00
		724	0	02	80
8. SARANGWAS	10 (G/L)	0	02	13	
9. SHOBHAWAS	21	0	02	52	
	17	0	03	22	
	16	0	03	88	
	15	0	01	15	
	32	0	01	19	
	2(G/L Nala)	0	00	15	
10. NARLAI	1621	0	01	48	
	1640 (G/L Nala)	0	00	51	
	1553	0	03	16	
	1473	0	00	34	
	1475	0	00	10	
	1497	0	00	22	
	1360 (P.W.D. Road)	0	00	41	
	257	0	00	27	
	258	0	01	24	
	286	0	02	14	
11. CHAKSUJAPURA	131	0	00	59	
	127 (G/L Cart Track)	0	00	47	
	126	0	01	04	
	164 (G/L Cart Track)	0	00	49	
	249/276(G/L)	0	00	20	
	249	0	00	57	
	242	0	01	03	
	243 (G/L Magri)	0	00	57	

Tehsil : DESURI		District : PALI		State : RAJASTHAN		
Sr. No	Name of the Village	Khasara No.	Area			
			Hectare	Are	Sq.mtr.	
1	2	3	4	5	6	
12. DHELRI		196	0	01	27	
		194	0	00	58	
		193	0	00	91	
		192	0	01	55	
		205 (G/L)	0	00	29	
		201	0	00	40	
		213	0	00	93	
		214/293 (G/L)	0	00	27	
		146 (G/L)	0	01	14	
		235 (G/L)	0	00	25	
		69 (G/L Cart Track)	0	00	31	
		68	0	00	20	
		61	0	00	32	
	13. ATATIYA		257	0	00	82
			250	0	00	49
		254	0	00	58	
		111	0	00	95	
		144	0	00	52	
		141	0	00	71	
		140	0	00	46	
		149/396	0	01	10	
		135	0	01	37	
		121	0	00	56	
		122 (G/L Nala)	0	00	75	
14. KESOO LI			397 (G/L River)	0	07	92
			380	0	01	16
			405/617	0	01	61
			416 (G/L Pal)	0	00	56
		415	0	01	41	
		410 (G/L)	0	00	43	
		463	0	01	16	
		465 (G/L)	0	00	33	
		520 (G/L)	0	05	98	
		364	0	01	34	
		362	0	00	26	
		345 (G/L)	0	00	60	
		186	0	00	55	
		187	0	01	37	
		170 (G/L Nala)	0	00	29	
	162/594(G/L)	0	05	30		
	346 (G/L)	0	00	52		

Tehsil : DESURI		District : PALI		State : RAJASTHAN	
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
14. KESOOLI (Contd...)		151	0	00	88
		147	0	01	37
		146	0	01	01
15 DAILANA KALAN		70	0	01	08
		69	0	00	76
		115 (G/L Cart Track)	0	00	13
		162	0	01	06
		161	0	00	06
		140	0	01	84
		142	0	00	34
16. KERLI		105 (G/L River)	0	00	37
		105/322 (G/L)	0	04	05
		104 (G/L)	0	97	42
17. TOKARLA		162 (G/L)	0	00	61
		144	0	00	93
		130	0	02	10
		109	0	00	62
		108	0	02	32
		307	0	00	82
		320	0	00	76
		66 (G/L Nala)	0	00	62
18. KOLAR		74	0	00	72
		63 (G/L Cart Track)	0	00	39
		49	0	02	38
		23	0	00	63
		20	0	00	87
		26	0	02	14
		30	0	00	44
		12	0	03	22
		1352 (G/L Nala)	0	00	28
		1342	0	02	38
		1335/4	0	09	65
19. KHINWARA		1330(G/L)	0	03	65
		1323	0	00	20
		1321	0	00	40
		1262	0	02	70
		1236	0	02	61
		1144	0	00	89
		1147	0	00	69
		1151	0	00	61
		1021 (G/L Cart Track)	0	00	17

Tehsil : DESURI		District : PALI		State : RAJASTHAN	
Sr. No	Name of the Village	Khasara No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
19. KHINWARA (Contd...)		1004	0	07	80
		966	0	02	50
		846	0	01	11
		852 (G/L Cart Track)	0	00	10
		756 (G/L Cart Track)	0	00	08
		771	0	00	96
		793(G/L Abadi)	0	00	74
20. MATAJI KA GUDA		1	0	03	08
		4	0	02	62

[No. R-31015/50A/2004-O.R.-II]

HARISH KUMAR, Under Secy.

नई दिल्ली, 31 जनवरी, 2006

का. आ. 446.— केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक राजस्थान राज्य में चाकसू से होती हुई अपरिष्कृत तेल के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 3(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री योगेश कुमार श्रीवास्तव, सक्षम प्राधिकारी, (राजस्थान), इण्डियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन्स प्रभाग), 33, मुक्तानन्द नगर, गोपालपुरा बाईपास, जयपुर - 302 018 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : देसूरी	जिला : पाली	राज्य : राजस्थान		
गांव का नाम	खसरा सख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
वडौद	393	0	09	66

[फा. सं. आर-25011/29/2001-ओ.आर.-I]

एस. के. चिटकारा, अवसर सचिव

New Delhi, the 31st January, 2006

s. O. 446.—Whereas, it appears to the central Government that it is necessary in the public interest that for the transportation of crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan, A pipeline may be laid by the Indian Oil Corporation Limited for implementing the “Augmentation of Viramgam–Chaksu, Chaksu–Panipat and Chaksu–Mathura sections of Salaya–Mathura Pipeline System”.

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Yogesh Kumar Shrivastava, Competent Authority (Rajasthan), Indian Oil Corporation Limited (Pipelines division), 33, Muktanand Nagar, Gopalpura Bye-pass, Jaipur – 302018, (Rajasthan).

SCHEDULE

Tehsil : DESURI		District : PALI		State : RAJASTHAN	
Name of the Village	Khasara No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
BAROD	393	0	09	66	

[F. No. R-25011/29/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 31 जनवरी, 2006

का. आ. 447.—'केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक राजस्थान राज्य में चाकसू से होती हुई अपरिष्कृत तेल के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 3(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री योगेश कुमार श्रीवास्तव, सक्षम प्राधिकारी, (राजस्थान), इण्डियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन्स प्रभाग), 33, मुक्तानन्द नगर, गोपालपुरा बाईपास, जयपुर - 302 018 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : आबूरोड़		जिला : सिरोंही		राज्य : राजस्थान	
गांव का नाम	खसरा सख्या	क्षेत्रफल			
		हेक्टेयर	एयर	वर्ग मीटर	
1	2	3	4	5	
आम्बा	257	0	05	98	

[फा. सं. आर-25011/47/2001-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 31st January, 2006

S. O. 447.—Whereas, it appears to the central Government that it is necessary in the public interest that for the transportation of crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan, A pipeline may be laid by the Indian Oil Corporation Limited for implementing the “Augmentation of Viramgam–Chaksu, Chaksu–Panipat and Chaksu–Mathura sections of Salaya–Mathura Pipeline System”.

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Yogesh Kumar Shrivastava, Competent Authority (Rajasthan), Indian Oil Corporation Limited (Pipelines division), 33, Muktanand Nagar, Gopalpura Bye-pass, Jaipur – 302018, (Rajasthan).

SCHEDULE

Tehsil : ABU ROAD		District : SIROHI		State : RAJASTHAN	
Name of the Village	Khasara No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
AMBA	257	0	05	98	

[F. No. R-25011/47/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 31 जनवरी, 2006

क्रा. आ. 448.—केन्द्रीय सरकार को लोक हित में यह आवश्यक प्रतीत होता है कि गुजरात राज्य में विरमगाम से हरियाणा राज्य में पानीपत तक राजस्थान राज्य में चाकसू से होती हुई अपरिष्कृत तेल के परिवहन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्द्धन के कार्यान्वयन हेतु एक पाइपलाइन बिछाई जानी चाहिए ;

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 3(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियों साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री योगेश कुमार श्रीवास्तव, सक्षम प्राधिकारी, (राजस्थान), इण्डियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन्स प्रभाग), 33, मुक्तानन्द नगर, गोपालपुरा बाईपास, जयपुर - 302 018 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : पिण्डवाड़ा		जिला : सिरौही		राज्य : राजस्थान	
गांव का नाम	खसरा सख्या	क्षेत्रफल			
		हेक्टेयर	एयर	वर्ग मीटर	
1	2	3	4	5	
वाटेरा	37	0	13	13	
	41	0	04	32	
	53/3 मिन	0	04	97	
अजारी	186	0	06	20	
	189	0	01	43	
	214	0	07	80	
	215	0	00	83	
	217	0	00	28	
	219	0	09	36	
पिण्डवाड़ा	2743	0	02	21	
	2753	0	01	36	
	2754	0	05	55	
	2756	0	00	20	
	2764	0	04	10	
	2765	0	01	45	
	2769	0	01	00	

[फा. सं. आर-25011/47/2001-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 31st January, 2006

S.O. 448.—Whereas, it appears to the central Government that it is necessary in the public interest that for the transportation of crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan. A pipeline may be laid by the Indian Oil Corporation Limited for implementing the “Augmentation of Viramgam–Chaksu, Chaksu–Panipat and Chaksu–Mathura sections of Salaya–Mathura Pipeline System”.

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Yogesh Kumar Shrivastava, Competent Authority (Rajasthan), Indian Oil Corporation Limited (Pipelines division), 33, Muktanand Nagar, Gopalpura Bye-pass, Jaipur – 302018, (Rajasthan).

SCHEDULE

Tehsil : PINDWARA		District : SIROHI		State : RAJASTHAN	
Name of the Village	Khasara No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
VATERA	37	0	13	13	
	41	0	04	32	
	53/3 Min	0	04	97	
AJARI	186	0	06	20	
	189	0	01	43	
	214	0	07	80	
	215	0	00	83	
	217	0	00	28	
	219	0	09	36	
PINDWARA	2743	0	02	21	
	2753	0	01	36	
	2754	0	05	55	
	2756	0	00	20	
	2764	0	04	10	
	2765	0	01	45	
	2769	0	01	00	

[F. No. R-25011/47/2001-O.R.-I]
S. K. CHITKARA, Under Secy.

नई दिल्ली, 31 जनवरी, 2006

का. आ. 449.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 3572 तारीख 03 अक्टूबर, 2005, जो भारत के राजपत्र तारीख 08 अक्टूबर, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 11 नवम्बर, 2005 को उपलब्ध करा दी गई थीं;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

अनुसूची

तहसील : बल्लभगढ़		जिला : फरीदाबाद	राज्य : हरियाणा
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1.	हरफला	26/ 16/2	0.0515
		17	0.0685
		18	0.0305
		23	0.0230
		25/ 20	0.0070
2.	पियाला	12/ 18	0.0480
		21	0.0050
		22	0.1440
		23	0.0960
		19/ 1	0.1520
		20/ 5	0.0610
		6	0.0940
		7	0.1470
		8/1	0.0100
		12	0.0835
		13/1	0.1115
		13/2	0.0230
		19	0.0635
		20	0.1520
		21/ 16	0.0710
		23	0.0315
		24	0.1520
		25	0.0785
		107 (रास्ता)	0.0075
3.	मोहला	54/ 17	0.0420
		18	0.0180
		25	0.0090
		55/ 15	0.0025
		18	0.0095
		19	0.0195
		20	0.0155
		21	0.0475
		56/ 6	0.0050
		11	0.0435
		12	0.0550
		13	0.0520
		57/ 8	0.0070
		9	0.0625
		10	0.0650
4.	सीकरी	48/ 22	0.0025
		23	0.0835

1	2	3	4
4.	सीकरी (जारी ...)	49/ 1	0.0785
		2	0.1515
		3	0.0580
		10	0.0810
		50/ 6	0.1400
		7	0.0025
		13	0.0200
		14/1	0.0660
		14/2	0.0410
		15/2	0.0190
		18	0.1130
		19	0.0630
		21	0.1035
		59/ 23	0.0220
		24	0.0500
		25	0.0390
		60/ 16	0.0055
		21	0.0800
		22/1	0.0160
		22/2	0.0175
		23	0.0590
		24	0.0530
		61/ 4	0.0125
		5/1	0.0050
		5/2	0.1030
		7	0.0140
		8/1	0.0045
		8/2	0.0427
		12	0.0670
		20	0.0540
5.	डीग	19/ 22	0.0110
		31/ 18	0.0130
		23	0.0230
		40/ 3	0.0285
		53/ 3	0.0840
		17	0.0200
		24	0.0250
		61/ 4	0.0030
		7	0.0040
		16	0.0190
		25	0.0270
		73/ 20	0.0155
		21	0.0650
		74/ 5	0.0040
		16	0.0795
		80/ 11	0.0045
		20	0.0110
		21	0.0090
6.	सागरपुर	32/ 21	0.0065
		33/ 18	0.0760

1	2	3	4
6.	सागरपुर (जारी...)	19	0.0205
		25	0.0160
		34/ 15	0.0640
		37/ 2	0.0080
		8	0.0040
		9	0.0925
		17	0.0140
		25	0.0330
		42/ 1	0.0115
		9	0.0055
		12	0.0270
		18	0.0320
		19	0.0160
		24	0.0070
7.	पहलादपुर	18/ 13	0.0050
		18	0.0240
		23	0.0110
		21/ 14	0.0100
		17	0.0440
		24	0.0250
		31/ 15	0.0145
		16	0.0310
		34/ 11	0.0275
		20	0.0520
		41/ 9	0.0300
		12/1	0.0100
		12/3	0.0140
		12/4	0.0025
		18	0.0125
		23	0.0560
		43/ 4	0.0025
		7	0.0420
		14	0.0060
		16	0.0520
		25	0.0060
		48/ 1	0.0415
		48/ 10	0.0090
		12	0.0270
		19/1	0.0040
		19/2	0.0170
		23	0.0070
		51/ 3	0.0235
		179 (रास्ता)	0.0150
		180 (रास्ता)	0.0055

New Delhi, the 31st January, 2006

S. O. 449.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3572, dated the 03rd October, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act) published in the Gazette of India dated the 08th October, 2005, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 11th November, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land, specified in the Schedule, appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

TEHSIL: BALLABHGARH		DISTRICT: FARIDABAD	STATE: HARYANA
S.NO.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
1.	HARFALA	26/ 16/2	0.0515
		17	0.0685
		18	0.0305
		23	0.0230
		25/ 20	0.0070
2.	PIYALA	12/ 18	0.0480
		21	0.0050
		22	0.1440
		23	0.0960
		19/ 1	0.1520
		20/ 5	0.0610
		6	0.0940
		7	0.1470
		8/1	0.0100
		12	0.0835
		13/1	0.1115
		13/2	0.0230

1	2	3	4
2.	PIYALA (Contd...)	19	0.0635
		20	0.1520
		21/ 16	0.0710
		23	0.0315
		24	0.1520
		25	0.0785
		107 (Rasta)	0.0075
3.	MOHLA	54/ 17	0.0420
		18	0.0180
		25	0.0090
		55/ 15	0.0025
		18	0.0095
		19	0.0195
		20	0.0155
		21	0.0475
		56/ 6	0.0050
		11	0.0435
		12	0.0550
		13	0.0520
		57/ 8	0.0070
		9	0.0625
		10	0.0650
4.	SEEKRI	48/ 22	0.0025
		23	0.0835
		49/ 1	0.0785
		2	0.1515
		3	0.0580
		10	0.0810
		50/ 6	0.1400
		7	0.0025
		13	0.0200
		14/1	0.0660
		14/2	0.0410
		15/2	0.0190
		18	0.1130
		19	0.0630
		21	0.1035
		59/ 23	0.0220
		24	0.0500
		25	0.0390
		60/ 16	0.0055
		21	0.0800
		22/1	0.0160
		22/2	0.0175
		23	0.0590
		24	0.0530
		61/ 4	0.0125
		5/1	0.0050
		5/2	0.1030
		7	0.0140

1	2	3	4
4.	SEEKRI (Contd...)	8/1	0.0045
		8/2	0.0427
		12	0.0670
		20	0.0540
5.	DEEG	19/ 22	0.0110
		31/ 18	0.0130
		23	0.0230
		40/ 3	0.0285
		53/ 3	0.0840
		17	0.0200
		24	0.0250
		61/ 4	0.0030
		7	0.0040
		16	0.0190
		25	0.0270
		73/ 20	0.0155
		21	0.0650
		74/ 5	0.0040
		16	0.0795
		80/ 11	0.0045
		20	0.0110
		21	0.0090
6.	SAGARPUR	32/ 21	0.0065
		33/ 18	0.0760
		19	0.0205
		25	0.0160
		34/ 15	0.0640
		37/ 2	0.0080
		8	0.0040
		9	0.0925
		17	0.0140
		25	0.0330
		42/ 1	0.0115
		9	0.0055
		12	0.0270
		18	0.0320
		19	0.0160
		24	0.0070
7.	PAHLADPUR	18/ 13	0.0050
		18	0.0240
		23	0.0110
		21/ 14	0.0100
		17	0.0440
		24	0.0250
		31/ 15	0.0145
		16	0.0310
		34/ 11	0.0275
		20	0.0520
		41/ 9	0.0300
		12/1	0.0100
		12/3	0.0140
		12/4	0.0025
		18	0.0125
		23	0.0560
		43/ 4	0.0025
		7	0.0420
		14	0.0060
		16	0.0520
		25	0.0060
		48/ 1	0.0415
		10	0.0090
		12	0.0270
		19/1	0.0040
		19/2	0.0170
		23	0.0070
		51/ 3	0.0235
		179 (Rasta)	0.0150
		180 (Rasta)	0.0055

[F.N.R-31015/ 2 /2005-OR-II]

Harish Kumar Under Secretary

नई दिल्ली, 1 फरवरी, 2006

का. आ. 450.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2936 तारीख 18 अगस्त, 2005, जो भारत के राजपत्र तारीख 20 अगस्त, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजवासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 10 अक्टूबर, 2005 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगनों से मुक्त, भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा ।

तहसील : भरतपुर		अनुसूची जिला : भरतपुर	राज्य : राजस्थान
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में
1	2	3	4
1	नगला बन्ध	676	0.0626
		677	0.1378
		679	0.0504
		680/2444	0.0187
		680	0.1355
		684	0.0139
		681	0.0360
		682	0.1553
		749	0.0851
		750	0.1904
		751	0.0800
		748	0.1008
		747	0.0880
		695	0.0953
2	नगला विलौठी	1276	0.0427

[फा०स०आर०-31015/ 82 /2004- ओ आर -II]

हरीश कुमार, अवर सचिव

New Delhi, the 1st Febuary, 2006

S. O. 450.— Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.2936, dated the 18th August, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th August, 2005, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh, to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited ;

And whereas the copies of the said Gazette notification were made available to the public on the 10th October, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE

TEHSIL : BHARATPUR

DISTRICT : BHARATPUR

STATE : RAJASTHAN

S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
1	NAGLA BANDH	676	0.0626
		677	0.1378
		679	0.0504
		680/2444	0.0187
		680	0.1355
		684	0.0139
		681	0.0360
		682	0.1553
		749	0.0851
		750	0.1904
		751	0.0800
		748	0.1008
		747	0.0880
		695	0.0953
2	NAGLA MILOTH	1276	0.0427

[F.N.R-31015/ 82 /2004-CR-II]

HARISH KUMAR, UNDER SECRETARY

नई दिल्ली, 1 फरवरी, 2006

का. आ. 451.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2937 तारीख 18 अगस्त, 2005, जो भारत के राजपत्र तारीख 20 अगस्त, 2005 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मध्यप्रदेश राज्य में मांगल्या (इंदौर) संस्थापन से हरियाणा राज्य में पियाला तथा दिल्ली राष्ट्रीय राजधानी क्षेत्र में बिजबासन तक पेट्रोलियम उत्पादों के परिवहन के लिए मुंबई-मांगल्या पाइपलाइन विस्तार परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा एक विस्तार पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 10 अक्टूबर, 2005 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन, केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगों से मुक्त, भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगा ।

अनुसूची

तहसील : भरतपुर		जिला : भरतपुर	राज्य : राजस्थान	
क्र०	ग्राम का नाम	सर्वे नंबर	क्षेत्रफल हेक्टेयर में	
1	2	3	4	
1	बगधारी	432	0.0170	
2	कस्बा भरतपुर	350	0.0144	
	चक नं. 2	349	0.1368	
		348	0.0576	
		347	0.0504	
		344	0.0864	
		338	0.0576	
		334	0.0100	
		333	0.1080	
		332/3399	0.0100	
		346	0.0020	
3	जधीना 1	1924	0.0105	
		979	0.1208	
		976	0.0608	
		993	0.0036	
		2464	0.1080	
		2463	0.0015	
		2462	0.1296	
		2457	0.0020	
		2460	0.0144	
		2461	0.0360	
		2473	0.0020	
		2475	0.0576	
		2476	0.1152	
		969	0.0216	
		970	0.0040	
		980	0.0936	
		981	0.0648	
		977	0.0072	
		986	0.0072	
4	विलौठी	248	0.0147	
		224	0.0504	
		622	0.0076	

1	2	3	4
4	दिलोटी (जारी...)	854	0.0532
		975	0.0240
		973/1753	0.0624
		13	0.0332
		53	0.0264
		32	0.0883
		36	0.0174
		756	0.0127
		754	0.0710
		753	0.0062
		784	0.0345
		788	0.0040
		787	0.0072
6	अठेरा	140	0.0546
		134	0.0576
		128	0.0288
		263	0.0522
		261	0.0396
		236	0.0576
		225	0.0406
		227	0.0576
		203	0.0691
		260	0.0072
		234	0.0216
		232	0.0144
		228	0.0360
		129	0.0030
7	बमनपुरा	309	0.0100
		316	0.0088
		369	0.0382
		421	0.0238
		386	0.0230
		619	0.0189

[फा०स०आर०-31015/ 82 /2004- ओ आर -II]
हरीश कुमार, अवर सचिव

New Delhi, the 1st February, 2006

S. O. 451.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.2937, dated the 18th August, 2005, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India dated the 20th August, 2005, the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying an extension pipeline for transportation of petroleum products through Mumbai-Manglya Pipeline Extension Project from Manglya (Indore) terminal in the State of Madhya Pradesh, to Piyala in the State of Haryana and Bijwasan in the NCT of Delhi by Bharat Petroleum Corporation Limited ;

And whereas the copies of the said Gazette notification were made available to the public on the 10th October, 2005;

And whereas the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule, appended to this notification, is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

SCHEDULE**TEHSIL : BHARATPUR DISTRICT : BHARATPUR STATE : RAJASTHAN**

S.No.	NAME OF VILLAGE	SURVEY NO.	AREA IN HECTARE
1	2	3	4
1	BAGDHARI	432	0.0170
2	KASBA BHARATPUR	350	0.0144
	CHAK NO. 2	349	0.1368
		348	0.0576
		347	0.0504
		344	0.0864
		338	0.0576
		334	0.0100
		333	0.1080
		332/3399	0.0100
		346	0.0020
3	JAGHINA 1	1924	0.0105
		979	0.1208
		976	0.0608
		993	0.0036
		2464	0.1080
		2463	0.0015
		2462	0.1296
		2457	0.0020
		2460	0.0144
		2461	0.0360
		2473	0.0020
		2475	0.0576
		2476	0.1152
		969	0.0216
		970	0.0040
		980	0.0936
		981	0.0648
		977	0.0072
		986	0.0072
4	VILOTHI	248	0.0147
		224	0.0504
		622	0.0076
		854	0.0532
		975	0.0240
		973/1753	0.0624

1	2	3	4
5	PAR	13	0.0332
		53	0.0264
		32	0.0883
		36	0.0174
		756	0.0127
		754	0.0710
		753	0.0062
		784	0.0345
		788	0.0040
		787	0.0072
6	ATHERA	140	0.0546
		134	0.0576
		128	0.0288
		263	0.0522
		261	0.0396
		236	0.0576
		225	0.0406
		227	0.0576
		203	0.0691
		260	0.0072
		234	0.0216
		232	0.0144
		228	0.0360
		129	0.0030
7	BAMANPURA	309	0.0100
		316	0.0088
		369	0.0382
		421	0.0238
		386	0.0230
		619	0.0189

[No. R-31015/82/2004-O.R.-II]
HARISH KUMAR, Under Secy.

नई दिल्ली, 1 फरवरी, 2006

का.आ. 452.—केन्द्रीय सरकार को लोकहित में यह आवश्यक प्रतीत होता है कि राजस्थान राज्य में ब्यावर से चित्तौड़गढ़ तक पेट्रोलियम उत्पादों के परिवहन के लिए इण्डियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा “सिद्धपुर-सांगानेर पाइपलाइन से चित्तौड़गढ़ तक ब्रान्च लाईन” के कार्यान्वयन हेतु एक शाखा पाइपलाइन बिछाई जानी चाहिए।

और केन्द्रीय सरकार को उक्त पाइपलाइन बिछाने के प्रयोजन के लिए यह आवश्यक प्रतीत होता है कि उक्त भूमि में, जो इस अधिसूचना से संलग्न अनुसूची में वर्णित है और जिसमें पाइपलाइन बिछाए जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई भी व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्कीस दिन के भीतर उसमें उपयोग के अधिकार का अर्जन करने या भूमि के नीचे पाइपलाइन बिछाने के संबंध में श्री योगेश कुमार श्रीवास्तव, सक्षम प्राधिकारी, (राजस्थान), इण्डियन ऑयल कॉर्पोरेशन लिमिटेड (पाइपलाइन्स प्रभाग), 33, मुक्तानन्द नगर, गोपालपुरा बाईपास, जयपुर - 302 018 (राजस्थान) को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

तहसील : मांडल	जिला: भीलवाड़ा	राज्य : राजस्थान		
गांव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
भादू	2806/1320	0	16	20

[फा. सं. आर-25011/31/2004-ओ.आर.-I]

एस. के. चिटकारा, अवर सचिव

New Delhi, the 1st Febuary, 2006

S. O. 452.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of petroleum products in Rajasthan State from Beawar to Chittaurgarh a "Branch Pipeline to Chittaurgarh from Sidhpur Sanganer Pipeline", should be laid by the Indian Oil Corporation Limited.

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now, therefore, in exercise of the powers conferred by Sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person interested in the land described in the said schedule may, within twenty one days from the date on which the copies of this notification issued under sub-section(1) of Section 3 of the said Act, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land, to Shri Yogesh Kumar Shrivastava, Competent Authority (Rajasthan), Indian Oil Corporation Limited (Pipelines division), 33, Muktanand Nagar, Gopalpura Bye-pass, Jaipur – 302 018, (Rajasthan).

SCHEDULE

Tehsil : MANDAL		District : BHILWARA		State : RAJASTHAN	
Name of the Village	Khasara No.	Area			
		Hectare	Are	Sq.mtr.	
1	2	3	4	5	
BHADU	2806/1320	0	16	20	

[F. No. R-25011/31/2004-O.R.-I]
S. K. CHITKARA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 6 जनवरी, 2006

का.आ. 453.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट (संदर्भ संख्या 47/98 को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-40012/89/96-आई आर (डीयू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 6th January, 2006

S.O. 453.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 47/98) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L-40012/89/96-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SRISURESH CHANDRA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, SARVODAYA NAGAR, KANPUR, U. P.

Industrial Dispute No. 47 of 1998

In the matter of dispute between :

Sri Laxmi Kant
S/o Sri Mata Prasad Pandey
r/o 17-E/6 Dabauli,
Ratan Lal Nagar,
Kanpur-208001

And

The Divisional Engineer (Project)
Microwave 1, A, Sarvodaya Nagar,
Kanpur.

AWARD

1. Central Government, Ministry of Labour, vide notification No. L-40012/89/96-IR(DU) dated 10-3-98 has referred the following dispute for adjudication to this Tribunal :—

“Whether the action of the management of Divisional Engineer Telecom Project (Microwave), Kanpur, in terminating the services of Sri Laxmi Kant S/o Sri Mata Prasad Pandey w.e.f. 1-7-91 is legal & justified? If not to what relief the workman is entitled?”

2. The case in short on behalf of the workman is that he was appointed under the opposite party against a permanent post of Jeep Driver on 1-1-89. He was paid his wages at the rate of Rs. 1800/- per month and that the work and conduct of the workman was quite satisfactory.

He has completed 240 days of continuous service. It has further been alleged by the workman that the opposite party terminated the services of the workman w.e.f. 28-1-91 and that at the time of illegal termination of his services he was not provided with the benefits as per rules nor any notice or retrenchment compensation as provided under the provisions of Industrial Dispute Act, 1947, was extended to him by the management of Telecom Deptt. It is also alleged by the applicant that the termination of the services is against the provisions of principles of natural justice as well as also attracts the provisions of Unfair Labour Practice. Several Juniors to the workman were retained in the services of the opposite party whereas his services were dispensed with by the opposite party, in an absolutely illegal manner. On the basis of the above allegations it has been prayed by the workman that the action of the management terminating his services w.e.f. 21-1-91 be declared illegal and unjustified and the workman be reinstated in the services of the management with full back wages and all consequential benefits.

3. The claim of the workman has been vehemently refuted by the management opposite party on variety of grounds. The management has alleged that the present reference has been made without application of mind in as much as on industrial dispute is apprehended or exist between the parties, hence this Tribunal has no jurisdiction to entertain the present reference and the reference is liable to be rejected being untenable, misconceived and misleading. It has also been alleged that the management of Telecom Department is not an industry as defined under the provisions of Industrial Disputes Act, hence the reference order is bad in law.

4. On merit of the case it has been alleged by the opposite party that the workman's date of termination in schedule of reference order is wrong as the services of the applicant have never been terminated w.e.f. 20-1-91. The workman has deliberately concealed the material facts from the notice of this Hon'ble Tribunal hence no cause of action arose on 20-1-91 as such the present reference order is bad in law and the present reference is beyond the competence of this Hon'ble Tribunal. It is further alleged that the project of Telecom Department is purely temporary hence the experienced officers, engineers, technicians, office staff are taken from the other wing of Department of Telecom on deputation and no fresh person has been engaged to perform the work of project department of Telecom at Kanpur. It has also been alleged that the project had some casual work therefore some daily rated Labour were employed in the project for doing casual job for some period. Workman Laxmi Kant could have been employed casually for doing some casual work in the project on daily rate basis. After completion casual job his services were not required.

5. Workman has filed his rejoinder but nothing new has been reiterated therein except facts mentioned by him in his statement of claim.

6. After pleadings were exchanged between the parties, the management filed an affidavit of Sri R K Trivedi, Asstt. of Divisional Engineer Telecom Project (Microwave), Sarvodaya Nagar, Kanpur, wherein it has been deposed by the deponent that as a matter of fact Sri Laxmi Kant son of Raj Kumar Pandey was employed as casual labour from time to time during the period between 21-11-90 to 30-6-91 and as his services were not required w.e.f. 1-7-91 after completion of project work, services stood terminated automatically. Said Sri Laxmi Kant Pandey son of Raj Kumar Pandey was daily rated employee engaged for the shifting the material from one site to another and his engagement was as per requirement of the work. It has further been alleged that the services of Laxmi Kant Pandey son of Raj Kumar Pandey stood automatically terminated upon completion of project work due to efflux of time. Since there exist no relationship of master and servant between Laxmi Kant Pandey son of Mata Prasad Pandey, hence there exist no industrial dispute between Laxmi Kant Pandey present workman and management of Telecom. Management has categorically denied the fact that it ever employed Sri Laxmi Kant son of Mata Prasad Pandey in their employment whereas management has admitted the fact that some Laxmi Kant son of Raj Kumar Pandey was employed by them as casual labour.

7. Both contesting parties apart from filing of documentary evidence has also examined Sri Laxmi Kant son of Mata Prasad alias Raj Kumar as w.w.1 and management examined Sri M. S. Beg SDE Telecom Kanpur as M.W.1.

8. I have heard the representatives for contesting parties at length and have also gone through the record of the case carefully.

9. The question germane involved in the present case is whether Laxmi Kant S/o Mata Prasad Pandey had ever worked with the management as claimed by him and as to whether his services were dispensed with in violation of the provisions of the I.D. Act. The management in their affidavit has categorically denied the fact that Laxmi Kant present workman son of Sri Mata Prasad Pandey had never been in the employment of the management whereas on investigation it was revealed that some Laxmi Kant son of Raj Kumar Pandey had worked under them on casual basis as per exigency of work and that he was paid on the basis of daily rate and also that his services came to an end automatically by efflux of time on completion of work. The above facts as were found disclosed in the affidavit filed by the management have not been controverted by the alleged workman either in his rejoinder or in his evidence deposed on oath before this tribunal. Therefore the above evidence of the management remains uncontroverted. Even he workman has not stated any thing about the fact that it was the who was engaged as casual labour by the management and his parentage has wrongly been recorded in the records of the management. Management witness in his deposition on oath before the tribunal has admitted the fact that the concerned workman had never worked in the department as Jeep Driver nor he was ever

appointed as such. During course of cross examination this witness has denied the suggestion of the workman that he ever worked as Jeep Driver in the department w.e.f. 1-1-89 to 1-7-91. Workman in his evidence has reiterated the facts as has been alleged by him in his statement of claim but he had nowhere deposed in his evidence that he is the workman who had worked with the management with parentage of Raj Kumar Pandey. Therefore on the basis of above evidence, the tribunal is inclined to hold that Laxmi Kant son of Mata Prasad Pandey, present workman had never worked as Jeep Driver with the opposit party and thus there exist no relationship of master and servant between the contesting parties of the case.

10. Management witness alongwith his affidavit has also filed a copy of letter dated 1-7-98 addressed to the D.E. (T.P) Kanpur and issued by Sub Divisional Engineer Telecom Project-1, A, Kanpur wherein it has been written that Laxmi Kant son of Raj Kumar Pandey has worked as casual labour on daily wage basis and paid against the estimate No. 8356D (a)/ 140 OEC for the period 21-11-90 to 30-6-91. This document has been marked as Annexure A to the management's affidavit. By letter dated 30-6-98 annexure 'D' to the affidavit, Sub Divisional Engineer Telecom project had informed the Divisional Engineer that Sri Laxmi Kant son of Mata Prasad Pandey R/o 17E/6 Dabauli Ratan Lal Nagar Kanpur had never worked under his supervision and this fact is being verified from the official record. It is worthwhile to note that a copy of the affidavit filed by the management supporting there with documents was received by the workman Laxmi Kant. Thus the hard fact remains that the workman has never denied the fact disclosed in the management affidavit and has also not denied the documents annexed there with on the ground that the documents annexed with the affidavit of the management do not pertains to him. Therefore the tribunal on the basis of unrebutted evidence lead by management is inclined to believe the case as set up by the management opposite party and the case as set up by the workman is not acceptable and it is held that the workman Laxmi Kant son of Mata Prasad Pandey was never in the employment of the management and if it is so question of termination of his services by the opposite party does not arise at all for want of established relationship of master and servant between the contesting parties.

11. For the reasons discussed above, it is held that the action of the management in terminating the services of Laxmi Kant son of Mata Prasad Pandey w.e.f. 1-7-91 cannot be held to be unjustified and illegal. Result is that the workman is held not entitled for any relief as claimed by him pursuant to the reference order made to this tribunal.

SURESH CHANDRA, Presiding Officer

नई दिल्ली, 6 जनवरी, 2006

का.आ. 454.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स टिस्को के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 133/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल-29012/63/97-आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 6th January, 2006

S.O. 454.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 133/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. TISCO and their workman, which was received by the Central Government on 6-1-2006.

[No. L-29012/63/97-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

PRESENT:

Shri N.K.R. Mohapatra,
Presiding Officer, C.G.I.T.-cum-Labour Court,
Bhubaneswar.

TR. INDUSTRIAL DISPUTE CASE No. 133/2001

Date of Passing Award 8th December, 2005

BETWEEN:

The Management of the Senior
Divisional Manager, Sukinda Chromite
Mines, TISCO Ltd., P.O. Kalarangitta,
Dist. Jaipur.

..... 1st Party—Management
(And)

Their Workmen, represented through the
General Secretary, North Orissa Workers
Union, Rourkela - 12.

..... 2nd Party—Union

APPEARANCES:

None For the 1st Party— Management
Shri Padmanav Mohanta For Himself, the 2nd Party—Union.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication *vide* their Order No. L-29012/63/97-IR (Misc.), dated 17-09-1997.

“Whether the action of the Management of Sukinda Chromite Mines of TISCO in striking off the name/retrenching Shri Padmanav Mohanta, S/o. Bharat Mohanta, Personnel No. 195810, with effect from 1-4-1994 is justified? If not, to what relief the workman is entitled to?”

2. Admittedly the workman was given appointment as a Mazdoor and thereafter as a Helper intermittently during the period from 15-7-1991 to March 1994. (The last appointment letter [Ext.-1/7] being for 50 days from 10-2-1994). As he was refused further employment from 14-4-1994 he made some representations and ultimately raised an Industrial disputes through this Union, North Orissa Workers Union, Rourkela giving rise to the present reference. It is claimed by the workman that he was engaged against perennial nature of work but the Management in order to avoid the rigour of law had given him temporary appointment intermittently with superficial break and ultimately refused employment from 1st April, 1994 without any notice or notice pay or retrenchment compensation when asked for regularization.

3. The Management while admitting the intermittent engagement of the workman has taken the stand that the appointment of the workman was purely on temporary basis for a fixed tenure and therefore after expiry of each term of appointment he was automatically disengaged without notice as per the terms and conditions of his appointment orders. It is further contended that the workman was simply engaged to look after the plantation activities, which were seasonal in nature and therefore he was disengaged after his last contractual term was over on 31-3-1994. In other words it is claimed by the Management that the workman had never worked continuously for 240 days or more in any 12 calendar months during 1991 to 1994 and therefore there was no obligation on his part to pay retrenchment benefit before refusing employment from 1st April, 1994 onwards.

5. On the basis of above pleadings of both the parties the following issues were framed.

ISSUES

1. Whether the action of the Management of Sukinda Chromite Mines of TISCO Iron striking off the name/retrenching Shri Padmanav Mohanta, S/o. Bharat Mohanta, Personal No. 195810 with effect from 1-4-1994 is justified?
2. If not, what relief the workman is entitled to?

Additional Issue

3. Whether the reference is maintainable?

6. During trial the workman got himself examined and cross examined in part by the Management. Later when the Management did not turn up despite repeated chances to further cross-examine the workman the case of both party was closed and the Management was set ex parte.

ISSUE NOS. I & II

7. From the various appointment letters (Ext.-1 to Ext.-1/7) issued to the workman it appears that in the year 1991 he was initially appointed as a Mazdoor for 85 days from 15-7-1991 and thereafter as such for 45 days from 1-11-1991 and then for 85 days from 11-7-1992 and again for 30 days from 6-6-1992 and then for 85 days

from 7-10-1992 and again for 43 days from 4-3-1993. Thereafter for 85 days from 11-10-1993 he was engaged as a Helper and again as such for a period of 50 days from 10-2-1994 expiring on 31-3-1994. These appointment letters indicate that the workman was given a personal number 195810 and almost every time he was given appointment under the same number indicating thereby that the work performed by the workman was perennial in nature. This also explains that the gap maintained between two appointment letters was superficial. Besides though the Management claims that he was engaged for a specified period against a specific project to look after the plantation activities, there is no mention of such fact in any of his appointment letters. His time to time engagement with superficial breaks indicates that the work against which he was engaged was perennial in nature. Further the evidence of the workman shows that after his termination the Management has given appointments to seven other persons suggesting that the workman was refused employment (amounting to retrenchment) when the job was still available for him. In the above premises, the Management cannot escape from the comment of not being fair and clean in his approach. This observation has gained support from another document (bonus payment slip of 1993-1994), which is available on record. Though the Management claim that during last 12 calendar month the workman was not engaged for 240 days, the above document shows that during the termination year of 1993-94 he had worked for 308 days for which he has been paid bonus.

8. Thus in the above premises I hold that the Management was not justified in refusing employment to the workman without retrenchment benefits as required under Section 25-F of the I.D. Act.

9. As in the meantime more than a decade has elapsed since the termination of the workman, I feel that a one time monetary compensation in lieu of reinstatement and back wages would meet the ends of justice. Accordingly, the Management is directed to pay a consolidated compensation of Rs. 1.5 lakhs to the workman within two months from the publication of the award and on his failure to do so the workman would be entitled to recover the same together with 6% interest from such date of publication of the award.

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10. There being no substantial challenge as to the maintainability of the case this issue is answered affirmatively.

11. Accordingly the reference is answered *ex parte* against the Management and in favour of the workman.

Dictated and Corrected by me.

N.K.R. MOHAPATRA, Presiding Officer

नई दिल्ली, 6 जनवरी, 2005

का.आ. 455 .—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कालटा आयरन माइन्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण, भुवनेश्वर के पंचाट (संदर्भ संख्या 9/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 06-01-2006 को प्राप्त हुआ था।

[सं. एल-26012/49/96 आई आर (विविध)]

बी. एम. डेविड, अवर सचिव

New Delhi, the 6th January, 2006

S.O. 455 .—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 09/2005) of the Central Government Industrial Tribunal-cum-Labour Court, Bhubaneswar as shown in the Annexure in the Industrial Dispute between the employers in relation to the Management of Kalta Iron Mines and their workman, which was received by the Central Government on 6-1-2006.

[No. L-26012/49/96-IR (M)]

B.M. DAVID, Under Secy.

ANNEXURE

BEFORE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BHUBANESWAR

PRESENT:

Shri N.K.R. Mohapatra, Presiding Officer,
C.G.I.T.-cum-Labour Court, Bhubaneswar.

Industrial dispute case No. 9/2005

Date of Passing Award—16th November, 2005

BETWEEN:

The Management of the Kalta Iron Mines,
RMD, SAIL, P.O. Kalta, Dist. Sundargarh.

..... 1st Party—Management

(And)

Their Workmen, represented through
General Secretary, North Orissa Workers,
Union, P.O. Barbil, Dist. Keonjhar.

..... 2nd Party—Workman.

APPEARANCES:

Shri Saujat Das, Advocate..... For the 1st Party—
Management

Shri A. Mohapatra, For the
Advocate 2nd Party—Workman.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred by Clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication *vide* their Order No. L-26012/49/96-IR (Misc.), dated 31-3-1997.

"Whether the termination of service of Shri Pramoda Nanda Patra by the Management of Kalta Iron Mines, RMD, SAIL, w.e.f. 28-4-1995 is legal and justified? If not, to what relief the workman is entitled?"

2. The case of the workman as presented by the Union in its claim statement is as follows :—

That the workman joined the establishment of the Ist Party-Management as a peace rated worker (P.R. W.) on 20-3-1980. Sometimes in 1983 he proceeded on leave to his native village and suffered there from Brain Malaria for which he could not return to his duties. Because of the acuteness of the disease he remained under constant treatment and after being fully cured came to join in his duties about 12 years later on 28-4-1995. It is alleged by the workman that on his reporting for duty he was refused and not allowed to join. He was asked to wait till receipt of a fresh order from the Head Office. As no such order was passed he raised an Industrial Disputes through his Union culminating the same in the present reference.

3. By denying the story of the workman the Management contents that the workman had joined as a peace rated worker on 28-4-1980 but not on 20-3-1980 as claimed by him. According to it the workman unauthorizedly remained absent from duty from 11-7-1983 for which he has issued with a registered notice on 29-9-1983 asking him to join forthwith. In reply thereto the workman in his letter dated 9-11-1983 wanted 12 days time to join but on his failure to do so another registered notice was sent to him on 4-1-1984 recalling him to duties. As the workman remained silent over that letter a departmental proceeding was started and the charge-sheet was sent to him in his village address on 8-8-1984 asking him to show cause within 8 days and having received no reply an enquiry committee was constituted and the workman was again issued with a notice on 5-7-1985 by registered post to attend the enquiry. As he did not attend the enquiry without any cause he was set ex-parte and finally after closure of enquiry removed from service as per Order 30(2)(b) of the certified Standing Orders of the Management *vide* order dated 24/27-2-1987 and a copy there of was sent to him in his village address but to no consequences. Refuting the other allegations of the workman it is further contended by the Management that after service of the termination letter the workman had never approached the Management to join in his duties and his plea that he was never allowed to join on 28-4-1995 (about 12 years later) and that he was asked to wait for the order of the head office are false and got up stories created for raising the disputes and to get through the job about 12 years after his termination.

4. On the basis of above pleadings of the parties the Tribunal framed necessary issues an award earlier on 17-5-2000 holding that the termination of the workman from service *vide* Management's order dated 24/27-2-1987 was justified, the same having been done pursuant to the result of a departmental proceeding duly conducted. An O.J.C. No. 12342/2000 being filed against the said award by the workman the Hon'ble High Court of Orissa in their order dated 18-2-2005 came to hold that the award passed by the Tribunal on 17-5-2000 was beyond the terms of reference and as such remanded the case for fresh disposal in terms of the reference. Thus the case is for fresh disposal.

ISSUES

1. Whether the termination of service of Shri Pramoda Nanda Patra by the Management of Kalta Iron Mines, RMD, SAIL, w.e.f. 28-4-1995 is legal and justified?

2. If not, to what relief the workman is entitled?

5. Initially the workman examined on his behalf three witnesses including himself. After the case was remanded back by the Hon'ble Court the workman got himself further re-examined and produced few more documents. From the side of the Management a single witness has alone been examined and through him the departmental proceeding started against the workman has been proved.

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6. These issues taken up together as they are interlinked.

Admittedly the workman remained absent from his duty continuously from 11-7-1983 onwards. According to him as usual on a Saturday he left for his village but could return to duty thereafter he suffered from brain Malaria. After being cured fully when approached to join in his duties after 12 years he was refused employment. As regards taking of leave he stated at first during examination on 20-7-1998 that he had sent a single leave application through his brother in law Jeeban Patra but during his re-examination which took place about 7 years later he again stated to have had sent two applications one through his wife and the second through his brother-in-law, Jeeban Patra. Seeking leave for six months only in extension of his earlier application he also could not tell for how many days he had applied for leave in his first application. In view of the above, specially in the absence of any cogent evidence it is difficult to appreciate the case of the workman that he had remained on leave during these 12 years.

7. In its counter the Management has contended that when the workman remained absent unauthorizedly he was sent one letter by registered post on 29-9-1983 asking him to join forthwith and in reply thereto the workman had sent one letter dated 9-11-1983 seeking 12 days time and thereafter no communication was received from him. This averment of the Management has gained support from the initial evidence of the workman given on 20-7-1998 and therefore, except to the above extent the rest of the evidence of the workman given 7 years after his first examination can not be believed. Even if it is believed for a moment that the workman had applied for leave twice once through his wife to be given to the Management through W.W. 2 and another through his brother-in-law Jeeban Patra, the evidence of Workman shows that the said 2nd application was given four months after the first application for a period of six months only and no application was made thereafter which itself speak that by not applying for leave for the entire absence period he had virtually abandoned the job at his will.

8. Under clause 29 of the standing order the Management leaving the station without permission as notified by the Management amounts to official

misconduct. So also habitual late attendance and willful absence from duty without leave application on sufficient cause amounts to official misconduct. It be stated here that where a person remains absent continuously for years together without any leave application or sufficient case being shown he is to be considered to have abandoned the job voluntarily and in such a case the Management would be justified to terminate his service in accordance with its standing orders and the workman would have no further right to claim his reinstatement under only pretext.

9. The Management while producing the departmental proceeding file has proved through his witness (M. W. 1) that due to the workman's absence from the duty he was issued with notice after notice to join in duty and on the latter's failure to do so a proceeding was started. As in the said proceeding the workman did not appear despite repeated notices being sent he was sent ex-parte and accordingly terminated on the basis of the result of such enquiry. The evidence of the M. W. 1 further shows that though the order of termination was set to the workman by registered post it did not bring any change in the situation. As against the above it is pleaded by the workman that, he was never intimated about the proceeding nor the order of termination was ever sent to him. He simply came to know about the same when he came to join in his duties on 28-4-1995. But his so called joining report marked as Ext.-2 dated 28-4-1991 itself indicates that on that day he had approached the Management to join in his former post knowing fully well that the same was no more available to him. Therefore, his stand that he was not intimated of the proceeding or about his termination can not be believed. Besides in a case of present nature where the workman absent himself for years together without sufficient cause it is not more necessary for the Management to keep the disciplinary proceeding pending until the appearance of the workman. It is equally not open to the workman to say later that the proceeding started against him was not fairly conducted and the principles of natural justice not observed. In a case of the present nature as reported in 2005-II-LLJ-1034 (Vivekananda Sethi—Versus—Chairman, J & K Bank Ltd., and others) the apex Court have held at Para 20 :—

“It may be true that in a case of this nature, the principles of natural justice were required to be complied with but the same would not mean that a full-fledged departmental proceeding was required to be initiated. A limited enquiry as to whether the employee concerned had sufficient explanation for not reporting to duties after the period of leave had expired or failure on his part on being asked so to do, in our considered view amounts to sufficient compliance of the requirements of the principles of natural justice.”

Similarly at Para 22 it has been observed that:—

“The principle of natural justice, it is trite, is no unruly horse. When facts are admitted, an enquiry would be an empty formality. Even the principle of estoppel will apply [See Dr. Gurjeewan Garewal (Ms.) Vs. Dr. Dumitra Dash (Ms.) and Others 12004 (5) SCC 263 : 2004-III-LLJ-

II. The principles of natural justice are required to be complied with having regard to the fact situation obtaining therein. It can not be put in a straitjacket formula. It can not be applied in a vacuum without reference to the relevant facts and circumstances of the case [See State of Punjab—Vs. Jagir Singh 2004 (8) SC 129 : 2004-III-LLJ-1148) and Karnataka State Road Transport Corporation & Anr.—Vs. -S.G. Kotturappa & Anr. AIR 2005 SC 1933 : 2005-II-LLJ-161.

From the documents produced by the Management it appears that repeatedly the workman was noticed both to join in his duty as also to participate in the enquiry started against him and these notices were sent in his present village address which itself amount to sufficient compliance of the principles of natural justice. By continuously remaining absent for about 12 years the workman can not take the plea that he has no knowledge of his termination and claim his former post with the grievance that he was not allowed to join when reported upon.

10. Ext.-2, the so-called joining report dated 28-4-1995 shows that with that application the workman had approached the Management with a request to take him back to service. This has of course been denied by the Management. However, even if it is taken for granted that on that day the workman had approached the Management to join in his duties and that he was not allowed by the Management to do so, then even the action of the Management can not be held to be illegal, independent of the result of the domestic enquiry, for then the workman had already abandoned his service by continuously remaining absent without leave for about 12 years.

11. Thus in view of the various discussions made in the foregoing Paras, I hold that the Management was justified in refusing employment (amounting to termination) to the workman on 28-4-1995.

12. Accordingly the reference is answered against the Union/Workman and in favour of the Management.

Dictated & Corrected by me.

N.K.R. MAHAPTRA, Presiding Officer

नई दिल्ली, 6 जनवरी, 2006

का.आ. 456.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 382/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-40012/238/2003-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 456.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.382/2004) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the

Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L-40012/238/2003-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Monday, the 29th September, 2005

PRESENT:

K. JAYARAMAN, Presiding Officer

Industrial Dispute No. 382/2004

(In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of BSNL and their workmen)

BETWEEN:

Sri P.S. Kumar : I Party/Petitioner

AND

The Telecom District : II Party/Management
Engineer, BSNL,
Dharmapuri.

APPEARANCE:

For the Petitioner : Ms. S. Jothivani,
Advocate

For the Management : M/s. P. Arulmudi & P.
Srinivasan, Advocates

AWARD

The Central Government, Ministry of Labour vide order No. L-40012/238/2003-IR(DU) dated 22-06-2004 has referred this industrial dispute to this Tribunal for adjudication. The Schedule mentioned in that order is—

“Whether the demand of the workman Sri P. Sukumar from the management of BSNL for reinstatement in the service is just and fair? If so, to what relief the workman is entitled to and from which date?”

2. After the receipt of the reference, it was taken on file as I.D. No. 382/2004 and notices were issued to both the parties and both the parties entered appearance through their advocates and filed their Claim Statement and Counter Statement respectively.

3. The allegations of the Petitioner in the Claim Statement are briefly as follows :—

The Petitioner was appointed as telephone operator by the Telecom District Engineer, Krishnagiri in the year 1980 under Scheduled Tribe quota. The Petitioner belongs to Hindu Malayalee Community which is included in the list as a Scheduled Tribe. The Deputy Tehsildar, Headquarters office at Krishnagiri, Salem Dist. who is competent to issue community certificate for the ST candidates at the relevant point of time had issued a

certificate to the Petitioner on 2-7-73 certifying that he belongs to ST community. While so, during the year 1983 the Respondent/Management advised the Petitioner to submit another community certificate and the Petitioner also produced another community certificate in the prescribed form issued by the Block Development Officer, Kaveripattinam the competent authority for issuance of community certificate at that time. But all of a sudden, a memorandum of charges dated 11-11-87 under Rule 14 of CCS (CCA) Rules, 1964 was issued to the Petitioner alleging that the Petitioner exhibited lack of integrity in that he got himself appointed as a telephone operator in the year 1981 in Salem Telecom Engineer Division against Scheduled Tribe quota falsely declaring himself as belonging to Malayalee under ST quota and thereby contravening Rule 3 (1)(i) & 3(1)(iii) of CCS (Conduct) Rules, 1964. Even though the Petitioner has submitted his explanation, it was not accepted and a departmental enquiry was ordered to be conducted against him. But, in the departmental enquiry, the Enquiry Officer without application of his mind and in violation of principles of natural justice and without giving him any opportunity to defend his case and with a biased mind, he has given the finding that the charges framed against the Petitioner were proved. In the enquiry, even though the Petitioner requested the Enquiry Officer for examination of Deputy Tehsildar, who has issued some of the documents which was based reliance during the enquiry, but the request of the Petitioner was rejected by the Enquiry Officer as not relevant to the charges. Till date, the community certificate issued to the Petitioner was not cancelled and it is still valid and therefore, the findings given by the Enquiry Officer is perverse and it is not valid. The Disciplinary Authority based on the Enquiry Officer's report has imposed the punishment of removal from service and passed an order dated 25-5-99. Even the appeal preferred by the Petitioner against the order of Disciplinary Authority was rejected. The order passed by the Disciplinary Authority which was confirmed on appeal has been passed in an illegal, arbitrary exercise of power with closed mind without affording any sufficient and reasonable opportunity to the Petitioner. Therefore, the entire enquiry is vitiated and the punishment imposed will become non-est in the eye of law. Further, the enquiry has not conducted in a proper manner as laid down under law and inconsonance with the principles of natural justice and therefore, the said enquiry is illegal, arbitrary and in violation of principles of natural justice. Hence, the Petitioner prays that an award may be passed holding that the order of removal of Petitioner from service by the Divisional Engineer is illegal and void, *ab initio* and to set aside the same and also to direct the Respondent/Management to reinstate the Petitioner in service with all concomitant service and monetary benefits.

4. As against this, the Respondent/Management in its Counter Statement contended that the Petitioner has suppressed most of the facts. At the first instance, the Petitioner approached the Central Administrative Tribunal, Madras by filing O.A. No. 233/87 seeking direction to the DET, Dharmapuri to treat him as

belonging to ST community. The Tribunal has dismissed the said O.A. No. 18-9-87 holding that Deputy Tehsildar was not the competent authority to issue community certificate and it further observed in the order that applicant has misrepresented himself as a Malayali Tribal but in fact he was only a Malayalam speaking Keralite. Thereafter, the Petitioner filed a W.P. No. 11178/93 before the High Court of Madras and the High Court dismissed the said W.P. The Petitioner has not preferred any Writ Appeal against the order of Single Bench and since he has exercised the option to go before the Central Administrative Tribunal, it is not open to the Petitioner to raise this dispute, as the same is barred by Section 11 of CPC. Therefore, the industrial dispute raised by the Petitioner is not maintainable and is liable to be dismissed. That apart the Petitioner was appointed to the post of telephone operator against the reserved ST vacancy and his appointment was purely provisional pending issue of eligibility certificate in candidate's favour and the appointment was liable to be cancelled in the event of such certificate being refused. Subsequently, it came to light that he has made a false declaration in the application form and attestation form that he belongs to ST community. He was awarded with punishment of removal under CCS (CCA) Rules, 1965 after due enquiry. Only after verification done by the competent Revenue authority of State Govt. it was found that the Petitioner does not belong to Malayalee Hill tribal of Dharmapuri and therefore, he was not eligible to be treated as ST candidate. The Block Development Officer is not the competent authority to issue community certificate for ST candidates. Though the Petitioner alleged that enquiry conducted against him is not in accordance with rules, the enquiry was conducted in accordance with CCS (CCA) Rules, 1965. Though the petitioner has filed a petition for perusal of 17 documents, 15 documents were disallowed by the Enquiry Officer as they are not relevant to the charges framed against him. The Enquiry Officer has duly applied his mind while rejecting the request and there was no violation of natural justice. The Petitioner already moved through W.P. No. 11178/93 to quash the report of revenue authorities of verification of community certificate and the High Court has rightly dismissed the said W.P. The Enquiry Officer has given full opportunity to the Petitioner to defend himself and all the original documents list in Annexure III were submitted before the Enquiry Officer and admitted as authenticated documents by the Petitioner was brought on record. Further, the Petitioner was aware of Tehsildar's proceedings as he had challenged the same before the High Court. With regard to the report of the Revenue authorities, it is a valid document and once the document is taken by the Petitioner as authentic and not fake, to challenged the contents of Tehsildar's report on caste verification cannot be done during the course of departmental disciplinary proceedings. The appropriate recourse would have been to challenge the Thasildar's investigation in the appropriate Court and not before the

domestic enquiry. The Petitioner has given due opportunity to defend himself. The enquiry was spanned over ten years. The Petitioner has tried dilatory tactics at various stages to delay the process of enquiry. Even in Writ Petition the High Court has observed that '*writ petition seems to be an afterthought and the Petitioner wants to stall the disciplinary proceedings which were properly initiated against him.*' Even the Disciplinary Authority has followed the due procedure before awarding the punishment of removal from service. The request of the Petitioner to post him as OC candidate if he is not belonging to ST community cannot be agreed to as he was selected against ST vacancy. Further the adjusting the official against OC vacancy would mean granting him a job to which he is not entitled in normal course violating constitutional provisions of equal opportunity for employment. Hence, he is was rightly removed from service. Therefore, for all these reasons mentioned above, the Respondent prays to reject the claim of the Petitioner with costs.

5. Under these circumstances, the points for my consideration are—

- (i) "Whether the demand for Petitioner for reinstatement in service of the Respondent/Management is just and fair?"
- (ii) To what relief the Petitioner is entitled?"

Point No. 1 :—

6. The case of the Petitioner in this case is that he was selected and appointed as telephone operator in Scheduled Tribe quota on the strength of the community certificate issued by the Block Development Officer, Kaveripattinam during the year 1980. Since his selection was a regular one which is evident from Ex. M1 which cannot be questioned subsequently by the Respondent/Management that he was selected provisionally for that post. Further, even in Ex. M1 against some of the names it was mentioned that he has been provisionally selected, therefore, it is evident that the Block Development Officer who was the competent authority to issue community certificate for ST candidates at the relevant point of time was accepted as such by the telecom department and he was selected and appointed for the post of telephone operator. Hence, it cannot be questioned by the Respondent/Management now without cancelling the said community certificate in proper way. If really, the Petitioner was selected provisionally against his name, it must have been mentioned that he was provisionally selected subject to his furnishing of prescribed certificate within a reasonable time. but, on the other hand, against his name, no mention was made and it represents that he was selected for the post and therefore, it is clear that the community certificate produced by the Petitioner issued by the Block Development officer is not an invalid one and the Block Development Officer is empowered to issue such certificate at the relevant point of time. According to the orders of the Respondent/Management at para 13.3 of the brochure on reservation and concessions for SC/ST, if the certificate produced by the candidate is doubtful one, it should be sent for verification to the District Magistrate. This instruction

was also reiterated in G.I. Deptt. of Personnel & Training O.M. No. 42012/8/87 EST (SCT) dated 14-10-87. In this case, the Petitioner was recruited in the year 1981 and his cast status was verified immediately and he was selected for that post. It is not the contention of the Respondent/Management that no verification was made immediately he has been selected. Only in the year 1984, after a long lapse of time, the Divisional Engineer, Dharmapuri addressed the District Collector in this regard. Even assuming that he has written a letter to District Collector, the Respondent has not produced any reply which was sent by the District Collector to the Respondent/Management. Only a copy of the report marked to department has been taken into account and it is not known whether the Collector had agreed to the finding of Tehsildar's report. Further, even in that Thasildar's report it has not been stated that Commissioner of Panchayat Union was not competent authority to issue caste certificate for ST candidates. Further, from the report, it is not clear whether he has enquired the Petitioner and whether he has given any opportunity to prove the Petitioner with regard to his claim. Therefore, the enquiry report without examining the Petitioner is not valid in law. Further, though the Enquiry Officer has relied on the report given by Tehsildar with regard to this, he has not been examined before the enquiry and no opportunity was given to the Petitioner for cross examination with regard to this document. Under such circumstances, the findings given by the Enquiry Officer relying on the report given by the Thasildar is vitiated. Under such circumstances, the order passed by the Disciplinary Authority and Appellate Authority are not valid and therefore, the Petitioner is entitled to the claim made by him.

7. But, as against this, the learned counsel for the Respondent argued that in this case, the order of removal was made on 25-5-99 and the Petitioner has raised this industrial dispute only on 1-7-2003 before the Regional Labour Commissioner (Central) and he has not stated any explanation for the delay of three years in raising this dispute. Further, the Petitioner has suppressed most of the material facts and details about his earlier grounds of litigation in respect of the same subject matter only to get sympathy of this Tribunal. The Petitioner had filed W.P. No. 12058/83 before the High Court of Madras to treat him as belonging to ST community on the basis of community certificate issued by Commissioner of Panchayat Union and that given by Headquarters Deputy Tehsildar. It was transferred to Central Administrative Tribunal after its consideration and it was renumbered as T.A. No. 233/87. In that case, the Central Administrative Tribunal went into the question of communal status of the Petitioner and it has given a specific finding that the Headquarters Deputy Tehsildar had no authority to issue a community certificate and the Petitioner do not belong to Scheduled Tribe and he is only a Malayalam speaking Keralite and this finding was given by the Tribunal based on relevant records produced before it. It further held that the decisions of the High Court of Madras in S.P. SAKTHI DEVI Vs. COLLECTOR OF SALEM which was cited by the Petitioner herein is not applicable to

the present case and what was held in that decision is only that community certificate issued by the empowered public authority under seal continues to be valid till it is cancelled. But, in this case, the Petitioner has produced a community certificate given by Headquarters Deputy Tehsildar's who is not the empowered authority and therefore, the certificate issued by him has no validity in the eye of law. Further, the Tribunal has gone into various documents produced in that case it has also gone through the SSCL certificate issued to the Petitioner and the community certificate produced by him and the Tribunal in its findings has given that the Petitioner is not entitled to claim ST status and the Petitioner has not preferred any appeal against that order and hence it has become final. Further, the Petitioner again filed a Writ Petition No. 11178/93 before High Court seeking Writ of Mandamus challenging the enquiry report dated 31-12-83 of Tehsildar, Krishnagiri with regard to community status of the Petitioner was also dismissed by the High Court. Even against this order, the Petitioner has not preferred any Writ Appeal and it has become final. Under such circumstances, there cannot be any dispute with regard to status of the community of the Petitioner and he has suppressed all these facts and has raised this dispute only to get sympathy of this Tribunal and he is guilty of suppression of material facts and he has also wanted to take advantage of suppressing the vital facts. He has approached this forum with unclean hands and therefore, he is not entitled to get any relief.

8. Though the Petitioner alleged that he has not been given any fair opportunity to defend himself before the domestic enquiry, the Respondent has clearly established before this Tribunal that all fair opportunities were given to the Petitioner before the domestic enquiry and he has fully participated in the domestic enquiry. Though the Petitioner relied on the rejection of request to examine the Tehsildar of Krishnagiri, the Enquiry Officer has clearly found that his request is not valid. Further, even before the Central Administrative Tribunal, that Tribunal has given a finding that report of Tehsildar Krishnagiri is perfectly valid and the charges framed against the Petitioner was proved based on the other available independent witnesses. Even the enquiry was pending for more than ten years. The Petitioner has not taken any steps to produce a valid community certificate issued by competent authority and only after a long number of years, the Enquiry Officer has come to the conclusion that charge framed against the Petitioner has been proved against him. Though the Petitioner contended that Block Development Officer and Headquarters Deputy Tehsildar's are competent authorities to issue community certificate with regard to ST community, he has not produced any valid document to show that these authorities were empowered to give community certificate to the ST candidates. On the other hand, the Respondent has established through the brochure of the Govt. that community certificate for the candidates belonging to ST is to be given by Tehsildar of the Revenue Department. Under such circumstances, since the Petitioner has not established that he belongs to ST community, since he has not produced a community

certificate from the competent authority, he cannot contend that selection made by the Respondent/Management is not valid and not a provisional selection. Even under Ex. M.2 which is the copy of appointment order, it is clearly stated that the appointment is purely provisional pending the issue of eligibility certificate in the candidate's favour and shall stand cancelled in the event of such certificate being refused. Under such circumstances, it cannot be said that the Petitioner has been selected and appointed as a telephone operator by producing a valid community certificate given by the competent authority. It is further contended on behalf of the Respondent/Management that since the charges levelled against the Petitioner are serious and grave in nature, the Disciplinary Authority has imposed the punishment of removal from service. Further any length of service put in the Petitioner will not wipe the seriousness of the misconduct. Since the very appointment itself was procured by playing fraud on the management by the Petitioner knowingly that he belongs to forward community, he usurped the reservation quota exclusively meant for candidates belonging to Scheduled Caste. Therefore, it cannot be said that the punished imposed by the Respondent is harsh and there is no scope for this Tribunal even to consider the question of adequacy of the penalty. Under these circumstances, the Respondent prays to dismiss the claim of the Petitioner.

9. I find much force in the contention of the learned counsel for the Respondent because though the enquiry was pending for more than ten years, the Petitioner has not produced any community certificate from the competent authority. It is clear from the records produced by the Respondent that the Respondent/Management has given ample opportunity to the Petitioner to produce the proper community certificate from the competent authority, but the Petitioner has not produced any community certificate from the competent authority and his Writ Petitioner and also application before the Central Administrative Tribunal were dismissed after consideration of all these points. Under such circumstances, I find this point against the Petitioner.

Point No. 2 :

The next point to be decided in this case is to what relief the Petitioner is entitled?

10. In view of my foregoing findings that the Petitioner's demand is not just and fair, I find the Petitioner is not entitled to any relief. No. Costs.

11. Thus, the reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 29th September, 2005)

K. JAYARAMAN, Presiding Officer

Witnesses Examined :—

For the I Party/Petitioner : WWI Sri P.Sukumar.

For the II Party/Management : MWI Sri C. Theerthagiri.

Documents marked :—

For the First party/Petitioner

Ex. No.	Date	Description
W1	11-11-87	Xerox copy of the memorandum of charges
W2	11-09-90	Xerox copy of the petition preferred by Petitioner Against Enquiry Officer
W3	28-06-92	Xerox copy of the reply given by the Respondent
W4	12-02-98	Xerox copy of the defence brief submitted by Petitioner
W5	27-03-98	Xerox copy of the enquiry report
W6	11-02-99	Xerox copy of the representation given by Petitioner
W7	25-05-99	Xerox copy of the order of removal given to Petitioner
W8	22-06-99	Xerox copy of the appeal preferred by Petitioner
W9	03-12-99	Xerox copy of the appeal preferred by Petitioner
W10	25-02-00	Xerox copy of the order of Appellate Authority
W11	21-03-01	Xerox copy of the revision petition filed by Petitioner
W12	01-08-03	Xerox copy of the 2A petition filed by Petitioner
W13	08-10-03	Xerox copy of the reply filed by Respondent
W14	01-11-03	Xerox copy of the rejoinder filed by Petitioner.

For the II Party/Management :—

Ex. No.	Date	Description
M1	15-12-80	Xerox copy of the selection list for the cadre of Telephone Operators
M2	06-06-81	Xerox copy of the appointment order issued to Petitioner
M3	01-12-80	Xerox copy of the community certificate issued by BDO
M4	27-06-83	Xerox copy of the letter from Respondent to Petitioner
M5	6-7-83	Xerox copy of the letter from DE to DRO, Charnapuri
M6	07-07-83	Xerox copy of the letter from Petitioner to D.E.
M7	26-08-83	Xerox copy of the letter from DE to SDO, Krishnagiri
M8	31-12-83	Xerox copy of the letter from Tehsildhar, Krishnagiri to Sub Collector, Hosur
M9	18-09-87	Xerox copy of the order passed by CAT, Madras
M10	05-07-88	Xerox copy of the Enquiry proceedings
M11	11-11-88	Xerox copy of the Enquiry Proceedings
M12	01-03-89	Xerox copy of the Enquiry Proceedings
M13	17-03-89	Xerox copy of the letter from defence assistant to Petitioner
M14	08-02-90	Xerox copy of the Letter from Enquiry Officer to Petitioner
M15	21-03-90	Xerox copy of the Enquiry Proceedings
M16	11-09-90	Xerox copy of the Enquiry Proceedings
M17	28-06-92	Xerox copy of the letter from TDM, Salem to Petitioner
M18	18-06-93	Xerox copy of the Enquiry Proceedings
M19	19-09-97	Xerox copy of the Enquiry Proceedings
M20	27-03-98	Xerox copy of the Enquiry report
M21	25-05-99	Xerox copy of the order of Disciplinary Authority
M22	13-12-02	Xerox copy of the order passed by CGM, BSNL, Tamil Nadu.

नई दिल्ली, 6 जनवरी, 2006

का. आ. 457.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 101/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 40012/434/99-आई आर (डी यू)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi the 6th January, 2006

S.O. 457.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 101/2000) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L- 40012/434/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT
NO. 1 CHANDIGARH.**

Case No. ID 101/2000

Shri Chander Pal S/o Sh. Ram Kandiar
C/o Sh. N.K. Jeet, President,
Telecom Labour Union, Mohalla Hari
Nagar, Lal Singh Basti Road,
Bhatinda (Punjab). 151 001.Applicant

Versus

The General Manager,
Telecom, Ferozepur (Punjab)-152 001Respondent

APPEARANCES:

For the Workman : None
For the Management : Sh. G.C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. Vide No. L-40012/434/99/IR (DU) dated 18-2-2000 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of General Manager Telecom, Ferozepur in terminating the services of Sh. Chander Pal S/o Sh. Ram Kandiar is legal and justified? If not, what relief the workman is entitled to and from which date?”

2. Case was called several times. Awaited. None appeared on behalf of the workman. Learned counsel for

the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 458.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 103/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 40012/436/99-आई आर (डी यू)]
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi the, 6th January, 2006

S.O. 458.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 103/2000) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L- 40012/436/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT
No.1, CHANDIGARH.**

Case No. ID 103/2000

Shri Bittu S/o Sh. Sher Singh
C/o Sh. N. K. Jeet, President,
Telecom Labour Union, Mohalla Hari
Nagar, Lal Singh Basti Road,
Bhatinda (Punjab). 151 001.Applicant

Versus

The General Manager,
Telecom, Bhatinda (Punjab)-151 001Respondent

APPEARANCES:

For the Workman : None
For the Management : Sh. G. C. Babbar.

AWARD

Passed on 15-12-2005

Central Government vide No. L-40012/436/99/IR (DU) dated 17-2-2000 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of General Manager Telecom, Ferozepur in terminating the services of Sh. Bittu S/o Sh. Sher Singh is legal and justified? If not, what relief the workman is entitled to and from which date?”

2. Case was called several times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 459.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीढ़ के पंचाट (संदर्भ संख्या 105/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-40012/440/99-आई आर (डी यू.)]
कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 459.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 105/

2000) of the Central Government Industrial Tribunal/Labour Court No.1, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L- 40012/440/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer.

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT
No.1, CHANDIGARH.**

Case No. ID 105/2000

Shri Harpal Singh S/o Sh. Chand Singh
C/o Sh. N. K. Jeet, President,
Telecom Labour Union, Mohalla Hari
Nagar, Lal Singh Basti Road,
Bhatinda (Punjab). 151 001.Applicant

Versus

The General Manager,
Telecom. Bhatinda (Punjab)-151 001Respondent

APPEARANCES:

For the Workman : None
For the Management : Sh. G.C. Babbar.

AWARD

Passed on 15-12-2005

Central Government vide No. L-40012/440/99-IR (DU) dated 16-2-2000 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of General Manager Telecom, Ferozepur in terminating the services of Sh. Harpal Singh S/o Sh. Chand Singh is legal and justified? If not, what relief the workman is entitled to and from which date?”

2. Case was called several times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated : 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का.आ. 460.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 107/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/442/99-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 460.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 107/2000) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No-L- 40012/442/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I**

CHANDIGARH

Case No. ID 107/2000

Shri Vipan Kumar S/o Sh. Kamaljit
C/o Sh. N.K. Jeet, President,
Telecom Labour Union, Mohalla Hari
Nagar, Lal Singh Basti Road,
Bhatinda (Punjab). 151001.

.....Applicant

Versus

The General Manager,
Telecom, Bhatinda (Punjab)-151001

.....Respondent

APPEARANCES:

For the Workman : None

For the Management : Sh. G. C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/442/99/IR (D.U.) dated 17-2-2000 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of General Manager Telecom, Ferozepur in terminating the services of Sh. Vipan Kumar S/o Sh. Kamal Jeet is legal and justified? If not, to what relief the workman is entitled to and from which date?”

2. Case was called several times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised

representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my persual of the previous order sheet, I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

RAJESH KUMAR, Presiding Officer

Chandigarh

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का.आ. 461.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरसंचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I चण्डीगढ़ के पंचाट (संदर्भ संख्या 199/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल-40012/105/2002-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi the, 6th January, 2006

S.O. 461.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 199/2002) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No. L- 40012/105/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I
CHANDIGARH**

Case No. ID 199/2002

Shri Subhash Kumar,
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

.....Applicant

Versus

The General Manager,
Telecom,
E-10B Building,
Behind HPO,
Bhatinda (Punjab)

.....Respondent

APPEARANCES:

For the Workman : None
 For the Management : Sh. G.C. Babbar.

AWARD

(Passed on 15-12-2005)

Central Govt. vide No. L-40012/105/2002/IR (DU) dated 7-10-2002 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of General Manager Telecom, Ferozpur in terminating the services of Sh. Subhash Kumar S/o Sh. Pritam Singh workman w.e.f. 30-4-2001 is just and legal ? If not, to what relief the workman is entitled to and from which date?”

2. Case was called serveral times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar, counsel for the management and my persual of the previous order sheets, I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

RAJESH KUMAR, Presiding Officer

Chandigarh

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का.आ. 462.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूरसंचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 77/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/393/99-आई आर (डीयू)]
 कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 462.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 77/2000) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers

in relation to the management of Deptt. of Telecom, and their workman, which was received by the Central Government on 6-1-06.

[No. L- 40012/393/99-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1
 CHANDIGARH.**

Case No. ID 77/2000

Shri Raj Singh
 S/o Sh. Tek Singh,
 C/o Sh. N. K. Jeet, President,
 Telecom Labour Union,
 Mohalla Hari Nagar,
 Lal Singh Basti Road,
 Bhatinda (Punjab), 151001

.....Applicant

Versus

The General Manager,
 Telecom,
 Jalandhar (Punjab)

.....Respondent

APPEARANCES:

For the Workman : None
 For the Management : Sh. G.C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/393/99-IR (D.U) dated 1-2-2001 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of General Manager Telecom, Jalandhar in terminating the services of Sh. Raj Singh S/o Sh. Tek Singh is legal and justified ? If not, to what relief the workman is entitled to and from which date?”

2. Case was called serveral times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my persual of the previous order sheets, I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

RAJESH KUMAR, Presiding Officer

Chandigarh

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 463.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I चण्डीढ़ के पंचाट (संदर्भ संख्या 203/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/110/2002-आई आर (डी यू)]
कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 463.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 203/2002) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No- L- 40012/110/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. ID 203/2002

Shri Sukhpal Singh,
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

..... Applicant

Versus

The General Manager,
Telecom,
E-10B Building,
Behind HPO,
Bhatinda (Punjab)

..... Respondent

APPEARANCES:

For the Workman : None

For the Management : Sh. G.C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/110/2002-IR (DU) dated 7-10-2002 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of General Manager Telecom, Ferozepur in termination the services of Sh. Sukhpal Singh S/o Sh. Kaur Singh workman w.e.f. 31-3-2001 is just and legal? If not, to what relief the workman is entitled to and from which date?”

2. Case was called serveral times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

RAJESH KUMAR, Presiding Officer

Chandigarh

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का.आ. 464.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I चण्डीढ़ के पंचाट (संदर्भ संख्या 37/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/217/2002-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 464.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 37/2003) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No- L- 40012/217/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1, CHANDIGARH

Case No. ID 37/2003

Shri Pardeep Kaur
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

..... Applicant

Versus

New Delhi, the 6th January, 2006

The General Manager,
Telecom,
BSNL, Deptt. of Telecom.,
Amritsar (Punjab)

.....Respondent

APPEARANCES:

For the Workman : Nonc
For the Management : Sh. G. C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/217/2002/IR (DU) dated 24-2-2003 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of General Manager Telecom, (BSNL) Amritsar in termination the services of Sh. Pardeep Kaur W/o Sh. Karamjit Singh Clerk w.e.f. 18-7-99 is just and legal ? If not to what relief the workman is entitled to and from which date ?”

2. Case was called several times. Awaited. Nonc appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 465.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीढ़, के पंचाट (संदर्भ संख्या 35/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-40012/216/2002-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

S.O. 465.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the Award (Ref. No. 35/2003) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L- 40012/216/2002-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1,
CHANDIGARH**

CASE NO. ID 35/2003

Shri Vijay Kumar,
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

.....Applicant

Versus

The General Manager,
Telecom,
BSNL, Deptt. of Telecom.,
Amritsar (Punjab)

.....Respondent

APPEARANCES:

For the Workman : Nonc
For the Management : Sh. G. C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/216/2002/IR (DU) dated 24-2-2003 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of General Manager Telecom, (BSNL) Amritsar in termination the services of Sh. Vijay Kumar S/o Sh. Kamal Kumar Regular Mazdoor w.e.f. 28-2-99 is just and legal ? If not to what relief the workman is entitled to and from which date ?”

2. Case was called several times. Awaited. Nonc appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to pursue their case, as there

is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005.

नई दिल्ली, 6 जनवरी, 2006

का. आ. 466.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीद, के पंचाट (संदर्भ संख्या 33/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 40012/203/2002-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 466.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 33/2003) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No. L- 40012/203/2002-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1 CHANDIGARH

CASE NO. ID 33/2003

Shri Sanjeev Kumar Dadwal,
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

.....Applicant

Versus

The General Manager,
Telecom,
BSNL, Deptt. of Telecom.,
Amritsar (Punjab)

.....Respondent

APPEARANCES:

For the workman : None
For the management : Sh. G.C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/203/2002/IR (D.U) dated 24-2-2003 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of General Manager Telecom, (BSNL) Amritsar in terminating the services of Sh. Sanjeev Kumar S/o Sh. Harnam Singh Regular Mazdoor w.e.f. 28-2-99 is just and legal ? If not to what relief the workman is entitled to and from which date ?"

2. Case was called several times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 467.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीद, के पंचाट (संदर्भ संख्या 201/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/106/2002-आई आर (डी यू)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 467.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 201/2002) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No- L- 40012/106/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1
CHANDIGARH

Case No. ID 201/2002

Shri Sanjay Singh,
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

.....Applicant

Versus

The General Manager,
Telecom,
E-10B Building,
Behind HPO,
Bhatinda,
(Punjab)

.....Respondent

APPEARANCES:

For the workman : None
For the management : Sh. G.C. Babbar

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/106/2002/IR (D.U)
dated 7-10-2002 has referred the following dispute to this
Tribunal for adjudication :“Whether the action of the management of General
Manager Telecom, Ferozepur in terminating the
services of Sh. Sanjay Singh S/o Sh. Deep Narain
Singh, workman w.e.f. 28-2-99 is just and legal ? If
not to what relief the workman is entitled to and from
which date ?”

2. Case was called several times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my perusal of the previous order sheets. I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 468.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-1 चण्डीढ़ के पंचाट (संदर्भ संख्या 31/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/204/2002-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 468—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 31/2003) of the Central Government Industrial Tribunal/ Labour Court No. I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No- L- 40012/204/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT-1
CHANDIGARH

CASE NO. ID 31/2003

Shri Raman Kumar,
C/o Sh. N. K. Jeet,
27349, Lal Basti Road,
Bhatinda (Punjab)

.....Applicant

Versus

The General Manager,
Telecom,
BSNL, Deptt. of Telecom.,
Amritsar (Punjab)

.....Respondent

APPEARANCES:

For the workman : None
For the management : Sh. G.C. Babbar

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/204/2002/IR (D.U)
dated 24-2-2003 has referred the following dispute to this
Tribunal for adjudication :

“Whether the action of the management of General
Manager Telecom, (BSNL) Amritsar in terminating

the services of Sh. Raman Kumar S/o Sh. Surinder Kumar Regular Mazdoor w.e.f. 28-2-99 is just and legal ? If not to what relief the workman is entitled to and from which date ?”

2. Case was called serveral times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my persual of the previous order sheet, I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Goveernment for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 469.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 281/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-40012/143/2001-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi the, 6th January, 2006

S.O. 469.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 281/2001) of the Central Government Industrial Tribunal/ Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No-L- 40012/143/2001-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-1 CHANDIGARH

CASE NO. ID 281/2001

Shri Deepak Kumar
C/o Madan Mohan,
H. No. 1212, Sector 22-B,
Chandigarh-160 001.

.....Applicant

Versus

The General Manager,
Telecom,
Amritsar (Punjab)-143001.

.....Respondent

APPEARANCES:

For the Workman : None
For the Management : Sh. G.C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. I.-40012/143/2001-IR (D.U) dated 6-8-2001 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Telecom, Amritsar in termination the services of Sh. Deepak Kumar S/o Sh. Gurdial Singh is just and legal ? If not, to what relief the workman is entitled to and from which date ?”

2. Case was called serveral times. Awaited. None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G. C. Babbar counsel for the management and my perusal of the previous order sheet, I have found that workman or his AR is not appearing and not interested to persue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer
Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 470.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 283/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/145/2001-आई आर (डी यू)]
कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 470.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 283/2001) of the Central Government Industrial Tribunal/Labour Court No. I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No- L- 40012/145/2001-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1 CHANDIGARH.

Case No. ID 283/2001

Shri Sanjiv Kumar
C/o Madan Mohan,
H. No. 1212, Sector 22-B,
Chandigarh-160 001.

.....Applicant

Versus

The General Manager, Telecom,
Amritsar (Punjab)-143 001

.....Respondent

APPEARANCES:

For the Workman : None
For the Management : Sh. G. C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/145/2001/IR (DU) dated 6-8-2001 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Telecom., Amritsar in terminating the services of Shri Sanjiv Kumar S/o Sh. Gurdial Singh is just and legal? If not, to what relief the workman is entitled to and from which date?”

2. Case was called several times. Awaited, None appeared on behalf of the workman. Learned Counsel for

the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my perusal of the previous order sheet, I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments Hence, it appears that workman or his authorised representative is not interested in prosecuting his case the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

CHANDIGARH RAJESH KUMAR, Presiding Officer

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 471.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं.-I चण्डीगढ़ के पंचाट (संदर्भ संख्या 277/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 40012/131/2001-आई आर (डी यू)]
कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 471.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 277/2001) of the Central Government Industrial Tribunal/Labour Court No-I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No- L- 40012/131/2001-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1 CHANDIGARH

Case No. ID 277/2001

Shri Parshotam Lal
C/o Madan Mohan,
H. No. 1212, Sector 22-B,
Chandigarh-160 001.

.....Applicant

Versus

The General Manager, Telecom,
Amritsar (Punjab)-143 001

.....Respondent

APPEARANCES:

For the Workman : None

For the Management : Sh. G. C. Babbar.

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/131/2001-IR (DU) dated 6-8-2001 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Telecom, Amritsar in terminating the services of Shri Parshotam Lal S/o Sh. Gian Chand is just and legal? If not, to what relief the workman is entitled to and from which date?"

2. Case was called several times. Awaited, None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my perusal of the previous order sheet I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his authorised representative is not interested in prosecuting his case, the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का.आ. 472.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 205/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 40012/108/2002-आई आर (डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 472.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. 205/2002) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 6-1-06.

[No- L- 40012/108/2002-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

**CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT 1,
CHANDIGARH**

Case No. ID 205/2002

Shri Raj Singh
C/o Sh. N. K. Jeet, President,
Telecom Labour Union,
Mohalla Hari Nagar,
Lal Singh Basti Road,
Bhatinda (Punjab)-151001

.....Applicant

Versus

The General Manager, Telecom,
Jalandhar (Punjab)

.....Respondent

APPEARANCES:

For the Workman : None

For the Management : Sh. G. C. Babbar

AWARD

Passed on 15-12-2005

Central Govt. vide No. L-40012/108/2002-IR (DU) dated 7-10-2002 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of General Manager Telecom. Ferozepur in terminating the services of Shri Raj Singh S/o Sh. Gurdev Singh workman w.e.f. 30-4-01 is just and legal? If not, to what relief the workman is entitled to and from which date?"

2. Case was called several times. Awaited, None appeared on behalf of the workman. Learned counsel for the management Shri G. C. Babbar submitted that workman and his representative both are not interested in prosecuting their case and they are not taking interest perhaps workman is gainfully employed some where and not coming himself or sending his authorised representative. As workman is not interested in prosecuting his case reference may be returned for non-prosecution. In view of the above submission of Shri G.C. Babbar counsel for the management and my perusal of the previous order sheet I have found that workman or his AR is not appearing and not interested to pursue their case, as there is no information or application filed in this court for adjournments. Hence, it appears that workman or his

authorised representative is not interested in prosecuting his case the reference is returned to the Central Government for want of prosecution. Central Government be informed. File be consigned to record.

Chandigarh RAJESH KUMAR, Presiding Officer

Dated 15-12-2005

नई दिल्ली, 6 जनवरी, 2006

का. आ. 473.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दूर संचार विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-I, चण्डीगढ़ के पंचाट (संदर्भ संख्या 21/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 40012/392/2000-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 6th January, 2006

S.O. 473.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 21/2001) of the Central Government Industrial Tribunal/Labour Court No.I, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Department of Telecom and their workman, which was received by the Central Government on 6-1-2006.

[No- L- 40012/392/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE SHRI RAJESH KUMAR, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, CHANDIGARH

Case No. I.D. 21/2001

Shri Akbar Khan,
C/o Sh. R. K. Sharma,
H. No. 372, Sector 20-A,
Chandigarh-160001

...Applicant

Versus

(1) The Chief General Manager, Telecom,
Punjab Circle, Sector 34,
Chandigarh-160001

...Respondent

(2) The Principal General Manager,
Telecom Sector-18,
Chandigarh.

APPEARANCES:

For the Workman : Shri O. P. Singh

For the Management : Sh. G. C. Babbar

AWARD

Passed on 11-11-2005

Central Govt. Vide notification No. L-4-0012/392/2000/IR (D.U) dated 27-12-2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of Chief General Manager, Telecom, Punjab Circle, Sector 20-A, Chandigarh and the Principal General Manager, Telecom, Chandigarh. District in ordering disengagement/termination of services of Shri Akbar Khan a workman engaged through contractor Sh. R. K. Mittal w.e.f. 27-2-1999 is just and legal? If not, to what relief the workman is entitled and from which date?"

2. The case taken up in Lok Adalat. The authorised representative of the workman Shri O. P. Singh withdraw the present reference in Lok Adalat vide his statement recorded on 18-10-2005 to this effect. In view of the same, the present reference is returned as withdrawn in Lok Adalat Central Government be informed.

Chandigarh RAJESH KUMAR, Presiding Officer

Dated 11-11-2005

नई दिल्ली, 9 जनवरी, 2006

का. आ. 474.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद I के पंचाट (संदर्भ संख्या 92/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2006 को प्राप्त हुआ था।

[सं. एल- 20012/699/97-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 474.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the award (Ref. No. 92/1998) of the Central Government Industrial Tribunal/Labour Court, Dhanbad I, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-2006.

[No- L- 20012/699/97-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference U/s. 10 (1) (d) (2A) of I. D. Act.

Reference No.92 of 1998

Parties : Employers in relation to the management of CV Area of BCCL.

AND

Their Workman

PRESENT : Shri Sarju Prasad, Presiding Officer.**APPEARANCES :**

For the Employers : None.
 For the Workman : None.
 State : Jharkhand. Industry : Coal.

Dated, the 21st December, 2005

AWARD

By Order No.L-20012/699/97-IR(C-I) dated 10-9-98 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of CV Area of BCCL in dismissing Sri Seikh Manjoor, Tyndal, B/F No.1497 of Laikdih Deep Colliery is legal & justified? If not, to what relief is the workman entitled?”

2. This is a reference case of the year 1998. In spite of registered notice two dates have been passed but no step has been taken from the side of the workman. It seems that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstances, I render ‘No Dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 475.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 130/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 20012/56/2003-आई आर (सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 475.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 130/2003) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No- L- 20012/56/2003-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**PRESENT :**

Shri B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 130 OF 2003**PARTIES :**

Employers in relation to the management of West Washery Zone of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workmen : None.
 On behalf of the Employers : Mr.D.K. Verma,
 Advocate.
 State : Jharkhand. Industry : Washery

Dated, Dhanbad the 9th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/56/2003-I.R. (C-I), dated, the 10th November, 2003.

SCHEDULE

“ KYA JHARKHAND KOYALA MAZDOOR UNION KI BHARAT COKING COAL LIMITED KI PASCHIM WASHERY ZONE KEY PRABANDHTANTRA SEY MANG KI SLURRY EVAM KOYALEY KI LADAI KEY KARYA MAY LAGE 538 KARMAKARO (SUCHI SANGLAGNA HAI) KO UKT PRABANDHTANTRA SEY NIYAMITA SEVA KA LAV DIYA JAYA UCHIT EVAM NAYASANGAT HAI? YADI HA TO UKT KARMKAR KIS RAHAT KEY PATRA HAI TATHA KIS TARIKH SEY?”

2. In this case neither the concerned workmen nor their representative appeared before this Tribunal. Management, however, made appearance through their authorised representative. It reveals from the record that instant reference is pending since 2003. It also further shows that registered notices and show cause notice were issued to the concerned workman/sponsoring union consecutively. In term of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workmen/sponsoring union to file statement of claim, complete with relevant documents, list of reliance and witnesses before the Tribunal within fifteen days from the receipt of the order of reference. The concerned workmen/sponsoring union not only violated the above rules but also did not consider necessary to respond to the notices issued by this Tribunal, Gesture of the workman/sponsoring union

if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under the circumstances this Tribunal also find no ground to adjourn the case suo motu for causing appearance of the workman/sponsoring union. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 476.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 46/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 20012/572/2001-आई आर (सी-1)]
एस. एस. गुप्ता, अवर सचिव

New Delhi the, 9th January, 2006

S.O. 476.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 46/2002) of the Central Government Industrial Tribunal/Labour Court, Dhanbad-II, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No-L-20012/572/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. BISWAS, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act., 1947

REFERENCE NO. 46 OF 2002

PARTIES:

Employers in relation to the management of Kustore Area of M/s BCCL and their workman.

APPEARANCES:

On behalf of the workman :	None.
On behalf of the Employers :	Mr. U. N. Lal, Advocate.
State : Jharkhand.	Industry : Coal.

Dated, Dhanbad the 9th December, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/2/572/2001-I.R.(C-I), dated the 21/30-5-2002.

SCHEDULE

"Whether the demand of the JMS from the management of BCCL, Kustore Area that Shri Md. Aktar Hussain may be regularised in the post of Welder Helper is just and fair If so, to what relief is the concerned workman entitled and from what date?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. Management side, however, made appearance through their authorised representative. It transpires from the record that the instant reference is pending since 2002. It also further reveals that registered notices and show cause notice were issued to the concerned workman/sponsoring union consecutively. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file written statement complete with relevant documents, list of reliance and witnesses before the Tribunal within fifteen days from the receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under the circumstances this Tribunal also finds no ground to adjourn the case suo motu for causing appearance of the workman/sponsoring union. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer.

नई दिल्ली, 9 जनवरी, 2006

का. आ. 477.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद-II के पंचाट (संदर्भ संख्या 18/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 20012/558/2001-आई आर (सी-1)]
एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 477.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.

18/2002) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No. L-20012/558/2001-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

PRESENT:

Shri B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)
(d) of the I.D. Act, 1947

Reference No. 18 of 2002

PARTIES:

Employers in relation to the management of
P.B. Area of M/s BCCL and their workman.

APPEARANCES:

On behalf of the workman : None.
On behalf of the Employers : Mr. S. N. Sinha,
Advocate.
State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 9th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/558/2001, dated the 28th February, 2002.

SCHEDULE

"Whether the demand of the Union for regularisation of Smt. Fulmani Devi, P.R.W/ Loader as General Mazdoor Cat. I from the management of P.B. Project of M/s. BCCL is justified. If so, to what relief is the concerned workman entitled and from what date?"

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. No Written Statement was also filed on their behalf. Management, however, made appearance through their authorised representative. It transpires from the record that notices and show cause notice were issued to the concerned workman/sponsoring union consecutively by registered post. It further reveals from the record that the instant reference is pending since 10-9-2002 for disposal. In terms of Rule 10(B) of the I.D. Central Rules, 1957, it is mandatory on the part of the concerned workman/sponsoring union to file a statement of claim complete with relevant documents, list of reliance and witnesses before the Tribunal within fifteen days from the receipt of

the order of reference. The concerned workman/sponsoring union not only violated the above rules but also did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under the circumstances, this Tribunal also finds no ground to adjourn the case suo moto for causing appearance of the workman/sponsoring union. Hence, the case is closed and a 'No dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 478.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधात्मक के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II, के पंचाट (संदर्भ संख्या 154/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 20012/280/97-आई आर (सी-I)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi the, 9th January, 2006

S.O. 478.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.154/98) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No. L-20012/280/97-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)
(d) of the I.D. Act, 1947.

Reference No. 154 of 1998.

PARTIES:

Employers in relation to the management of Govindpur
Area No. III of M/s BCCL and their workmen.

APPEARANCES:

On behalf of the workman : Mr. N.G. Arun, Ld.
Advocate
On behalf of the Employers : None
State : Jharkhand. Industry : Coal.

Dated, Dhanbad, the 12th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/280/97-IR (C-I) dated, the 15th May, 1998.

SCHEDULE

“Whether the removal from service of Sh. Jagdish Manjhi, Shri Maghi Manjhi, Shri Dhani Manjhi, Shri Gora Manjhi, Shri Birla Manjhi and Shri Kandana Manjhi and did not allow to resume their duties by the management of Govindpur Area No. III of M/s BCCL is genuine and justified? If not, to what relief are these workmen entitled?

2. The case of the concerned workman according to written statement submitted by the sponsoring union on their behalf in brief is as follows:

The sponsoring union submitted that the concerned workmen were previously in employment as Miners at Akashkinaree Colliery under Govindpur Area No. III.

They disclosed that according to the statement of the management the concerned workman were transferred to Kooridih Colliery in the same area but during investigation by them they found that no such order of transfer was issued in their names. They submitted that the names of those workmen were struck down by the management from the roll of the workers and for which they raised an Industrial Dispute before ALC(C) Dhanbad for conciliation which was registered as conciliation Case No. 1/377/87-E-4 dt. 11-12-87. However, the said conciliation proceeding was withdrawn on the assurance that the management would consider their case. However, as the management did not consider their case they again raised Industrial Dispute in the year 1989 but the same also was withdrawn on the assurance given by the management that the concerned workmen will be allowed to resume their duty. They alleged that as the management did not take any step again they raised Industrial Dispute and it was registered as Conciliation Case No. 1/182/95/E-4 dt. 16-2-96 but as the conciliation proceeding ended in failure instant reference case was initiated for adjudication.

The sponsoring union accordingly submitted prayer to pass award directing the management to allow the concerned workmen to resume their duties with all consequential benefits.

It transpires from the record that inspite of issuance of repeated notices by registered post as the management failed to appear and also failed to submit written statement on their part the instant reference case fixed for exparte hearing.

Points to be Decided

“Whether the removal from service of Sh. Jagdish Manjhi, Shri Maghi Manjhi, Shri Dhani Manjhi, Shri Gora Manjhi, Shri Birla Manjhi and Shri Kandana Manjhi and did not allow to resume their duties by the management of Govindpur Area No. III of M/s BCCL is genuine and justified? If not, to what relief are these workmen entitled?

4. Finding with reasons—

It transpires from the record that though the instant case was fixed for exparte hearing inspite of giving repeated opportunities the sponsoring union has failed to adduce any evidence. Therefore, based on the written statement let it be considered of their claim stands on cogent footing or not.

It is the specific claim of the sponsoring union that the concerned workmen were Miners at Akashkinaree Colliery under Govindpur Area No. III. Their contention is that they heard from the management that those workmen were transferred to Kooridih Colliery under same area but on investigation they came to know that no such transfer order was issued against them. Accordingly, they raised an Industrial Dispute in the year 1987 but the same was withdrawn by them as management assured to consider their claim. It is the specific claim of the sponsoring union that the names of the concerned workmen were struck down from the roll of the Company. They submitted that in the year 1989 they again raised Industrial Dispute as management failed to take any step but that industrial dispute was also withdrawn by them as management assured to allow the concerned workmen to resume their duties. They alleged that they again raised Industrial Dispute in the year 1996 as management did not take any step allowing the concerned workmen to resume their duties.

Considering the submission of the sponsoring union it transpires that during the period from 1986 to 1996 they raised Industrial Dispute on three consecutive occasions. From the facts disclosed in the written statement it transpires clearly that the concerned workmen were found absent from duty as Miners at Akashkinaree Colliery. It is their contention that from the management they heard that those workmen were transferred to Kooridih Colliery. They admitted that the said information was found to be wrong as no such order of transfer was issued against them. In this fact is taken into consideration it can safely be presumed that the concerned workmen altogether remained absent from duty. It is not the case of the sponsoring union that the concerned workmen were not allowed to resume their duties and for which they lodged complaint to the union that they were disallowed by the management to resume their duties. It is the specific allegation of the sponsoring union that management struck down the names of the concerned workmen from

the roll of the Company. Question of striking down name of any worker crops up when that workmen remains absent for a continuous period. As the management did not take any step in the instant case burden of proof rests on the sponsoring union to establish that the names of the concerned workers were struck off from the roll of the Company. It is seen that the sponsoring union have got ample opportunity to adduce evidence of the workmen to show that management illegally and arbitrarily did not allow them to resume their duties. Question of resumption of duty comes in if the workmen are found present physically. As the concerned workmen have not been dismissed from service there is no reason to apprehend that their names were struck off from the roll of the Company. Question which comes in actually whom the management will allow to resume their duties when they are not found present physically?

Therefore, burden of proof is on the sponsoring union to show physical presence of the concerned workmen who were disallowed by the management to resume their duties particularly when it is admitted fact that they were not transferred to Kooridih Colliery.

Facts disclosed in the written statement can not be considered as substantive piece of evidence until and unless the same is substantiated by cogent evidence. It is seen that sponsoring union inspite of getting ample opportunity has failed to establish that management illegally and arbitrarily did not allow the concerned workmen to resume their duties.

As they have failed to substantiate their claim the concerned workmen are not entitled to get any relief.

In the result the following award is rendered :

AWARD

That removal from service of Sh. Jagdish Manjhi Sri Maghi Manjhi, Sri Dhani Majhi, Sri Gora Manjhi Sri Birla Manjhi and Sri Kandana Manjhi did not allow to resume their duties by the management of Govindpur Area III of M/s BCCL is genuine and justified.

Consequently, the concerned workmen named above, are not entitled to get any relief.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 479.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 85/

1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल-20012/65/97-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi the, 9th January, 2006

S.O. 479.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.85/1998) of the Central Government Industrial Tribunal/Labour Court Dhanbad II, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L-20012/65/97-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO. 85 OF 1998.

PARTIES : Employers in relation to the management of Bhulan Bararee Colliery of M/s BCCL and their workmen.

APPEARANCES :

On behalf of the workman :	Mr. B. N. Singh, Representative of the workman.
On behalf of the employers :	Mr. D. K. Verma, Ld. Advocate.
State Jharkhand.	Industry : Coal.

Dated, Dhanbad the 12th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the power conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/65/97-Coal-I dated, the 24th March, 1998.

SCHEDULE

" Whether the action of management of Bararee Colliery of M/s BCCL is unjustified in denial to regularise Shri Ram Lal Manjhi as underground Munshi is justified? If not, to what relief the concerned workman is entitled?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows:

The sponsoring union submitted that the concerned workman is time rated Trammer of Bararee Colliery but being authorised by the management he started working as underground Munshi with effect from 1-8-89. They submitted that as he discharged his duties continuously being an underground Munshi he submitted representation to the management for his regularisation in the post but his such prayer was turned down illegally and arbitrarily violating the principle of natural justice. Accordingly he raised an Industrial Dispute through the sponsoring union before ALC(C) for conciliation which ultimately resulted reference to this Tribunal for adjudication. The sponsoring union accordingly, submitted prayer to pass award directing the management to regularise the concerned workman as underground Munshi with effect from 1-8-89 with full back wages and other consequential reliefs.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the post of underground Munshi is governed by Seperate Cadre Scheme. The person having the qualifications of Matriculation are eligible for the said post. Whenever any vacancy arises the management can fill up the said post through DPC by giving equal opportunity to all eligible candidates after taking due approval from the Director (P).

They submitted that the concerned workman does not possess minimum qualification of matriculation. He is by designation a TR Trammer and working in that capacity.

They however, admitted that the concerned workman was authorised to work as underground Munshi for a very short period and did not put his attendance of 190 days in that capacity. Accordingly they submitted that prayer of the concerned workman for his regularisation as underground Munshi finds no basis and as such he is not entitled to get any relief in view of his prayer.

4. POINTS TO BE DECIDED

"Whether the action of management of Bararee Colliery of M/s. BCCL is unjustified in denial to regularise Shri Ram Lal Manjhi as underground Munshi is justified? If not, to what relief the concerned workman is entitled?"

5. FINDING WITH REASONS—

It transpires from the record that the sponsoring union with a view to substantiate their claim examined the concerned workman as WWI management also in support of their claim examined one witness as MWI.

WWI, i.e. the concerned workman during his evidence disclosed that in the year 1979 he got his appointment as Stone Cutter at Bhulan Bararee Colliery.

Thereafter in the year 1983 he started working as Trammer as per direction of the management. He further disclosed that in the year 1989 being directed by the management he started discharging his duties as Munshi in the underground and in that capacity he worked continuously upto 2000. In 2000 management transferred him to D.C. Plant at Jealgora Colliery as Trammer. Concerned workman during his evidence relied on some office orders marked as Exht. W-1 series. In support of his qualification he also submitted his matriculation certificate which during his evidence was marked as Exht. W-2. It is his contention that management illegally and arbitrarily not only refuted his claim but also denied to regularise him as Munshi.

During his cross-examination concerned workman has failed to show any paper that he was authorised to work as underground Munshi. He further admitted that since his appointment as Trammer management paid him wages against that post.

MWI who was Hindi Typist attached to Personnel Deptt. of Bararee Colliery during his evidence specifically disclosed that the concerned workman was never authorised by the management to work as Munshi in the underground. He disclosed that work of Munshi in the underground is a clerical job and comes under clerical cadre. He was never selected by the management to work as clerk though this witness admitted that in case of emergency work on some occasions he was deployed to work as Munshi in the underground as well as on the surface absolutely on temporary measure. He disclosed that as the concerned workman is a Matriculate it ipso facto did not create any right to place claim for his regularisation as clerk because of the fact that selection of clerk is made as per provision laid down in NCWA. This witness further disclosed that Time rated Trammer comes under separte Cadre and their promotion are considered as per the norms laid down for the said cadre.

Therefore, considering the evidence of WWI and MWI and also considering the facts disclosed in the pleadings of both sides there is no dispute to hold that concerned workman by designation was a TR Trammer and posted at Bararee Colliery initially.

It is the contention of the concerned workman that in the 1989 he started working as underground Munshi as per direction of the management. He disclosed that from 1990 to 2000 he was deployed as Munshi by the management continuously and thereafter he was transferred to DG Plant Jealgora Colliery as Trammer. According to his submission continuously he worked as Munshi and inspite of his rendering continuous service and also having requisite qualification to work in the clerical cadre management ignored to regularise him in the clerical grade as Munshi. In support of his claim he relied on the documents which in course of his evidence were marked as Exht. W-1 series, W-2 & W-3. The documents marked as Exht. W-1 series shows clearly that time to time management used to deploy the concerned workman either as underground Munshi or as sand Munshi. It further transpires from the document marked as Exht. W-5 that while working as Munshi management *vide* office order

dt. 27-8-98 issued charge-sheet to him for dereliction of his duty as Munshi which amounted to misconduct. Again from the office orders marked as Exht. W-1/1 and W-1/3 dt. 8-7-96 and 1-9-98 respectively it transpires that pending final decision of the chargesheet he was asked to resume his duties as Munshi. Therefore if these office orders marked as Exht. W-1 series are taken into consideration, it will expose that prior to 1993 he was engaged by the management to work as Munshi and in that capacity continuously he worked upto 1999.

MWI during his evidence disclosed that the concerned workman was a time rated trammer and he was never authorised by any official of Bararee Colliery to work as Munshi in the underground. He disclosed that the post of Munshi comes under clerical cadre and the concerned workman was never selected by the management to work as clerk as per provision of NCWA. However he submitted that in case of emergency work on some occasions he was deployed to work as Munshi either in the underground or on the surface absolutely on temporary measure.

Therefore, the very evidence of MWI speaks clearly that the concerned workman rendered his service as Munshi on some occasions either in the underground or on the surface absolutely on temporary measure. It is the specific contention of the management that for a time rated worker there is no scope to get him entry in the service of clerk as it is cadre post. As per NCWA there is selection process for selection of a clerk under Cadre Scheme. If this submission of the management is taken into consideration in that case the question which has been cropped up how they utilised the service of the concerned workman as Munshi either in the underground or on the surface particularly when he was a time rated trammer. No satisfactory explanation in that regard could be given by the management. On the contrary it shows clearly that violating the provision of NCWA management deployed the service of the concerned workman as Munshi though he was by designation a trammer and for his rendering higher responsibility management did not pay him difference of wages. On the contrary atleast on two occasions they issued chargesheet to him for committing misconduct while he was engaged as Munshi on the surface. It is curious to note that when the management claimed that time rated trammer holds no entry to get his regularisation as clerk in the clerical cadre without coming through selection process did not hesitate to issue chargesheet to him with the allegation of committing misconduct while he was engaged as Munshi.

Not only in the written statement-cum-rejoinder submitted by the management but also MWI during his evidence disclosed that for a very short period the concerned workman was engaged to work as Munshi.

This fact which the management asserted finds no basis if the documents marked as Exht. W-1 series are looked into. It is not the case of the management that all these documents which the concerned workman relied on are manufactured to substantiate his claim. Therefore, if these office orders are looked into it will expose very clearly that prior to 1993 he was engaged by the management to work as Munshi and in that capacity he worked till 1999. Accordingly, based on these documents there is no scope to say that absolutely for a temporary period he was engaged as Munshi in the underground as well as on the surface. Matriculation Certificate marked as Exht. W-2 shows clearly that the concerned workman is a Matriculate. Therefore, based on the claim of the management there is no scope to say that the concerned workman does not have requisite qualifications to get his regularisation in the clerical cadre.

Considering the materials on record it has been exposed very clearly that management utilised the service of the concerned workman as Munshi in clerical Cadre for years together but when question of his regularisation cropped up they flatly denied his claim taking the plea that (i) he does not possess requisite qualification (ii) T.R. Trammer has got no entry in clerical post (iii) that excepting for a limited period he was never deployed to work as Munshi.

My discussion above will expose clearly that the plea taken by the management are not only without merit but also they have done so with malafide intention not to regularise the concerned workman in clerical grade inspite of exposing his service Continuously for years together as Munshi which comes under clerical kader.

It is not expected that a helpless workman is to be exploited by the management for their own interest. When it was absolutely within their knowledge that there was no provision to allow a T.R. worker to work in clerical grade it was not at all a wise decision to deploy the service of a T.R. worker in clerical grade and for which there is no reason to say that the workman concerned should be penalised particularly when it has been established that for years together he discharged his duties as Munshi either in the underground or on the surface.

Accordingly, after careful consideration of all the facts and circumstances I hold that management illegally and arbitrarily violating the principle of natural justice refused to regularise the concerned workman in the clerical grade as Munshi.

In the result the following award is rendered:

“That the action of management of Bararee Colliery of M/s BCCL is unjustified in denial to regularise Shri Ram Lal Manjhi as underground Munshi.

Management is directed to regularise Shri Ram Lal Manjhi as Munshi in clerical Gr. III with effect from the date of passing this Award.

This Award management should implement within three months from the date of its publication in Gazettee of India.”

B. BISWAS, Presiding Officer.

नई दिल्ली, 9 जनवरी, 2006

का. आ. 480.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 57/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 20012/292/2003-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 480.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 57/2004) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 6-1-06.

[No. L- 20012/292/2003-IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD PRESENT:

Shri B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 57 OF 2004

PARTIES: Employers in relation to the management of Barka Sayal Kshetra of M/s. CCL and their workman.

APPEARANCES:

On behalf of the Workman : None
On behalf of the employers : Mr. D.K. Verma,
Advocate.
State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 12th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/292/2003-I.R. (C-1), dated, the 26th April, 2004.

SCHEDULE

"Kya coalfield Mazdoor Union ki C.C.L Barka Sayal kshetra key pravandhtantra sey mang ki karmkar Shri Gopal Nayak ko varsh 1998 sey Chaprasi key pad par niyamit kiya jaya uchit evam naya sangat hai? Yadi han to karmkar kis rahat key patra hai tatha kis tarikh sey?"

2. In this case neither the concerned workman nor his representative appeared before this Tribunal. Management, however, made appearance through their authorised representative. It transpires from the record that registered notices and show cause notice were issued to the workman/sponsoring union. As per rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file Written Statement, complete with relevant documents, list of reliance and witnesses before the Tribunal within fifteen days from the receipt of the order of reference. The concerned workman/sponsoring union not only violated the above rules but also did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing of the case. Under the circumstances, this Tribunal also finds no ground to adjourn the case *suo moto* for causing appearance of the workman/sponsoring union. Hence, the case is closed and a 'No Dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer.

नई दिल्ली, 9 जनवरी, 2006

का. आ. 481.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी सी एल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 149/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 20012/122/98-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi the 9th January, 2006

S.O. 481.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 149/99) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 6-1-06.

[No. L- 20012/122/98-IR(C-1)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD PRESENT

Shri B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 149 OF 1999

PARTIES: Employers in relation to the management of Kargali Colliery of M/s. CCL and their workman.

APPEARANCES

On behalf of the Workman : Mr. B.B. Pandey, Advocate
 On behalf of the employers : Mr. D.K. Verma, Advocate
 State : Jharkhand Industry : Coal.
 Dated, Dhanbad, the 12th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/122/98-I.R. (C-I), dated, the 19th February, 1999.

SCHEDULE

“Whether the action of the Management of Kargali Colliery (Open Cast), CCL, P.O. Bermo, Dist. Bokaro in not regularising S/Sri Manas Sengupta, Deo Raj Kewat, Shamsul Haque and Dilip Kr., Trainees Category I as Clerk Gr. III in terms of I.I. No. 29 dt. 27-9-91 of JBCCI is justified? If not, what relief the concerned workmen are entitled to?”

2. In this case both the parties appeared and filed their respective Written Statement, documents etc. The case then proceeded along its course. Subsequently at the stage of evidence, the authorised representative of the concerned workmen submitted his prayer to pass a ‘No Dispute’ Award in this case as the concerned workmen involved are not interested to proceed with the hearing of this case. No objection raised on behalf of the management. When the concerned workmen are not interested it is redundant to carry on hearing of this case further. Hence, the case is closed and a ‘No Dispute’ Award is passed in this reference presuming non-existing of any industrial dispute between the parties.

B.BISWAS, Presiding Officer.

नई दिल्ली, 9 जनवरी, 2006

का. आ. 482.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध निर्योजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 84/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 20012/46/2004-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 482.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 84/2004) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L- 20012/46/2004-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

PRESENT

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 84 OF 2004

PARTIES: Employers in relation to the management of Justore Area of M/s. BCCL and their workman.

APPEARANCES

On behalf of the Workman : None
 On behalf of the employers : Mr. U. N. Hal Advocate
 State : Jharkhand Industry : Coal.

Dated Dhanbad, the 12th December, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/46/2004-I.R. (C-I), dated, the 28th June, 2004.

SCHEDULE

“Whether the action of the Management of Hurriladih Colliery, Kustore Area of M/s. BCCL, P.O. Kustore, Dist. Dhanbad in dismissing Shri Khagan Roy, Miner Loader from the services of the Company vide order dt. 10-11-2003 is just, fair and legal, If not, to what relief is the said workman entitled?”

2. In this reference neither the concerned workman nor his representative appeared before this Tribunal. No Written Statement was also filed on their behalf. Management, however made appearance through their authorised representative. It transpires from the record that notices and show cause were issued to the concerned workman/sponsoring union consecutively by registered post. It further reveals from the record that the instant

reference is pending since 18-10-2004 for disposal. In terms of Rule 10(B) of the I.D. Central Rules, 1957 it is mandatory on the part of the concerned workman/sponsoring union to file a statement of claim complete with relevant documents, list of reliance and witnesses before the Tribunal within fifteen days from the receipt of the order of reference. The concerned workman/union not only violated the above rules but also did not consider necessary to respond to the notices issued by this Tribunal. Gesture of the workman/sponsoring union if is taken into consideration will expose clearly that they are not interested to proceed with the hearing on the case. Under the circumstances, this Tribunal also finds no ground to adjourn the case suo moto for causing appearance of the workman/sponsoring union. Hence, the case is closed and a 'No Dispute' Award is passed in this reference presuming non-existence of any industrial dispute between the parties.

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 483.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 184/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 20012/210/2001-आई आर (सी-1)]
एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 483.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 184/2001) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L- 20012/210/2001-IR(C-I)]
S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD.

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 184 OF 2001

PARTIES:

Employers in relation to the management of Govindpur Area No. III of M/s. BCCL and their workman.

APPEARANCES

On behalf of the Workman : Mr. S.N. Goswami.
Ld. Advocate .
On behalf of the employers : Mr. D.K. Verma.
Ld. Advocate.
State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 12th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/210/1.R. (C-I), dated, the 11th July, 1999.

SCHEDULE

"Whether the demand of Mazdoor Sanghathan Samittee from the management of Govindpur Area III of M/s BCCL for regularisation of Sri Bibhuti Singh, Peon as Munshi Grade II is legal and justified? If so, what relief the workman concerned his entitled to?"

2. The case of the concerned workman according to written statement submitted by the sponsoring Union of his behalf in brief is as follows:

The sponsoring union submitted that the concerned workman Bibhuti Singh initially got his appointment as Peon at Kooridih Colliery under Govindpur Area No. III. They submitted that by office order No. AR111/Koor/1134/90 dt. 19/21-5-90 Dy. C.M.E./ Agent, Kooridih colliery authorised the concerned workman to perform the job of Munshi at Kooridih Colliery Block IV OCP under Govindpur Area III. Since that period he started discharging his duties as Munshi continuously and issued letter of confirmation to that effect by letter No. 2065 dt. 25-9-92.

They disclosed that the concerned workman started rendering his job as Munshi in clerical cadre against permanent vacancy in the year 1990 and thereafter continuously rendering his job in that capacity and for discharging his duties in that capacity management though paid him difference of wages of clerical Grade II and of the peon in category I did not consider to regularise him in clerical Grade. Accordingly, he submitted several representations to the management with prayer for his regularisation in clerical grade II but to no effect and for which he was compelled to raise Industrial Dispute before ALC(C) for conciliation which ultimately resulted reference to this Tribunal for adjudication.

Concerned workman accordingly submitted his prayer to pass award directing the management to regularise him as Munshi in clerical Grade II since the date of his engagement as such.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the post of Munshi Grade. II is a clerical post and the promotion of any workman in clerical Grade is being made according to cadre scheme of clerk formulated by JBCCI. They disclosed that lowest Grade in a clerical cadre is clerk Grade III and a clerk of clerical Grade III is only entitled to be promoted in the post of clerk Grade II on recommendation of D.P.C.

They disclosed that the concerned workman was appointed as peon and is working as a peon. They never authorised him to work as Munshi in Grade II because of the fact that there is no provision for regularisation of a peon to that post. Apart from this fact they submitted that the concerned workman also does not possess requisite qualifications for getting his posting in clerical Grade II. Accordingly, management submitted that the claim of the concerned workman as finds no basis is liable to be rejected.

4. POINTS TO BE DECIDED

"Whether the demand of Mazdoor Sangathan Samitee from the management of Govindpur Area III of M/s. BCCL for regularisation of Sri Bibhuti Singh, Peon as Mushi Grade II is legal and justified? If so, what relief the workmen concerned is entitled to?"

5. FINDINGS WITH REASONS

It transpires from the record that inspite of giving ample opportunity the sponsoring union has failed to take any step for adducing evidence with a view to substantiate the claim of the concerned workman. Accordingly the management also declined to adduce any evidence on their part.

In view of this situation there is no way out but to answer the reference based on the facts disclosed in the pleadings of both sides *suo moto*.

Considering the pleadings of both sides there is no dispute to hold that the concerned workman was employed by the management as peon at Kooridih Colliery under Govindpur Area No. III. It is the contention of the sponsoring union that by office order No. AR-III/Koor/1134/90 dt. 19/21-5-90 the Dy. C.M.E./Agent of Kooridih Colliery authorised him to work as Munshi in clerical Grade II and since then he is working in that capacity and put his attendance for more than 240 days in each year. The sponsoring union further submitted that by letter No. 2065 dt. 25-9-92 Dy. C.M.E., Block-IV confirmed his service as Munshi in clerical Grade II. It has been further submitted that for discharging higher responsibility management paid differences of wages of clerk Grade II and of Peon in Category I to the concerned workman. They alleged that management though paid difference of wages to him refused to regularise him in the post of Munshi in clerical Grade II and for which he submitted several representations but to no effect and for which he raised an Industrial dispute with a view to get his relief.

Management on the contrary categorically denying the claim of the concerned workman submitted that the

post of Munshi in clerical Grade II is only filled up by promotion from clerical Grade III if the name of any workman is recommended by D.P.C. as per provision laid down in N.C.W.A. They submitted that initial appointment in the post of clerk in clerical Grade III is only made by selection/interview from the departmental candidates. They submitted that there is no scope for getting direct appointment from category I post to clerical Grade without facing selection/interview subject to fulfillment of requisite qualification. It has been submitted by them that the concerned workman is lacking of minimum educational qualification which is required for his selection even initially in clerical Grade III. The provision as laid down in N.C.W.A. relating to selection of clerk Grade III speaks clearly that the workman should be matriculated and he must work as permanent staff minimum for a period of three years and his mode of appointment is by way of selection/interview. Promotion in clerk Grade II only is given from clerk Grade III and the made of such promotion is only through D.P.C.

It is the claim of the sponsoring union that Dy. C.M.E./Agent, Kooridih Colliery by office order No. AR-III/Koor/1134/90/dt. 19/21-5-90 engaged by the concerned workman to work as Munshi in clerical Grade II. It is curious to note that inspite of claiming so the sponsoring union has failed to produce any such office order. As per N.C.W.A. there is no scope at all to engage a workman of category I directly to the post of Munshi in clerk Grade II. Therefore, burden of proof absolutely rests on the sponsoring union to establish that Dy. C.M.E./Agent Kooridih Colliery is competent authority to engage any workman of category I to work in the post of Munshi clerical Grade II. Moreover, they can not avoid their responsibility to establish that the concerned workman is sufficiently qualified to work as Munshi in clerk Grade II. It has been specifically claimed by the sponsoring union that management for discharging higher responsibility paid the concerned workman the difference of wages of clerk Grade II and of the wages of category I. It is seen that inspite of getting sufficient opportunity the sponsoring union has failed to produce an iota of evidence based on which there is scope to draw conclusion that Dy. C.M.E./Agent, Kooridih Colliery was competent authority to engage any workman of Cat I.

It is seen that inspite of getting sufficient opportunity the sponsoring union has failed to produce an iota of evidence based on which there is scope to draw conclusion that Dy. C.M.E./Agent, Kooridih Colliery was competent authority to engage any workman of Cat. I to the post of Munshi in clerical Grade II. They have also failed to produce any such order as claimed to show about his engagement as Munshi in clerical Grade II. The sponsoring union also has failed to produce matriculation certificate of the concerned workman to show that he possesses requisite qualification. They have also failed to produce a single wage sheet to show that management paid differences of wages to him. Practically excepting placing claim the sponsoring union has failed to produce a single scrap of paper to show that he worked in post of Munshi in clerical Grade II by order of the management for years together and put his attendance for more than 240 days in each year.

It is to borne in mind that facts disclosed in the pleading can not be considered as substantive piece of evidence until and unless the same is substantiated by cogent evidence. I find no hesitation to say that inspite of getting sufficient opportunity the sponsoring union has lamentably failed to substantiate the claim of the concerned workman. Accordingly, based on the facts disclosed in the written statement I find no scope at all to uphold the claim of the sponsoring union for regularisation of the concerned workman in the post of Munshi in clerical Grade II.

In result the following award is rendered:

"That the demand of Mazdoor Sangathan Samittee from the management of Govindpur Area III of M/s. BCCL for regularisation of Sri Bibhuti Singh, Peon as Munshi Grade II is not legal and justified.

Consequently the concerned workman named above is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 484.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.रो.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 141/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल- 20012/333/96-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 484.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the award (Ref. No. 141/997) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure to the Industrial Dispute between the employers in relation to the management of Department of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No. L- 20012/333/96-IR(C-1)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 141 OF 1997

PARTIES:

Employers in relation to the management of Sudamdih Shaft mine

M/s. BCCL and their workmen.

APPEARANCES

On behalf of the Workman : Mr. K. Singh, Ld.
Advocate.

On behalf of the employers : Mr. S.N. Sinha, Ld.
Advocate

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 13th December, 2005

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/333/96-I.R. (C-1), dated, November, 1997.

SCHEDULE

"Whether the demand of the Union for the protection of wages from the retrospective effect and regularisation in T.R. jobs of S/Shri Ramashish Paswan and 37 others (as per list enclosed) is legal and justified? If so, to what relief are these workmen entitled?"

2. The case of the concerned workmen according to written statement submitted by the sponsoring union on their behalf in brief is as follows:

The sponsoring union submitted that the concerned workmen were piece rated Miners/Loaders of wage group V-A of Sudamdih Shaft Mines. They submitted management without giving any notice under Section 9-A of the I.D. Act to the concerned workmen changed their service condition and converted them to Time Rated workers from Piece Rated workers without giving any protection of their wages which they used to draw under group V-A resulting of which they have sustained financial loss. Accordingly they submitted prayer before the management for protection of their wages as T. R. workers but as the management refused to give any such pay protection they raised Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workmen.

They submitted that the concerned workmen as were piece rated workers they used to be paid wages on the basis of quantity of work performed by them as per the rates of their respective groups. They submitted that the concerned workmen on different occasions approached the management to provide them employment as time rated workers. According they considered the request of the concerned workmen made time to time and provided them time rated jobs on temporary basis according to skill possessed by them and they were paid the full back wages of the piece rated group on which they were working. They submitted that before conversions of the concerned workmen to T.R. jobs they were asked to give voluntary options to work in time rated category with the initial

basic start of the category in which they were to be regularised.

Accordingly, the concerned workmen submitted their options for their regularisation on time rated jobs in the respective categories with the initial basic fixed for such time rated workers. Thereafter, on the basis of their options they were regularised in time rated categories with the wages as per time rated scale as agreed upon by the workmen concerned according to the option form. They disclosed that the piece rated workers who did not submit their options were not regularised and they were sent back to their original jobs and their status as piece rated continued.

They submitted that the concerned workmen cannot raise any demand subsequently claiming protection of their wages particularly when they were converted as T. R. workers and placed in appropriate category in view of options giving by them. In view of the facts and circumstances management submitted that the concerned workmen are not entitled to get any relief in view of their prayer and for which their claim is liable to be rejected.

4. POINTS TO BE DECIDED

"Whether the demand of the Union for the protection of wages from the retrospective effect and regularisation in T.R. jobs of S/Shri Ramashish Paswan and 37 others (as per list enclosed) is legal and justified? If so, to what relief are these workmen entitled?"

5. FINDING WITH REASONS

It transpires from the record that sponsoring union with a view to substantiate the claim of the concerned workmen examined one of the concerned workmen as W.W.I. Management on the contrary in support of their claim examined one witness as M. W. 1.

W.W.I. during his evidence disclosed that though initially he got his appointment under the management as Miner/Loader in the year 1985, he was engaged as Subway crew as piece rated worker but in the year 1995 management regularised him in the said post as time rated worker *suo motu* and without taking any option from them. He submitted that as piece rated worker they were in Group V wages. He further submitted that as management was facing shortage of staff they converted their designations as time rated workers and transferred some of the concerned workmen to the post of sub-way crew and the rests to the posts of Trammers and material suppliers.

This witness further disclosed that without giving any pay protection management converted them to T.R. from P.R. Actually in T. R. they were placed in the initial stage of basic pay like new entrants. Moreover before changing the status of their job as T.R. worker management did not give any notice under Section 9-A of the I.D. Act. It has been further alleged by him that out of 38 workers management gave pay protection to 19 workers and their list during his evidence was marked as Exht. W-I. Accordingly they submitted representation to the

management for giving their pay protection like those 19 workmen but their claim was not considered.

During cross examination this witness admitted that they submitted options to the management for their placing as T.R. worker from piece rated workers.

M. W. 1 during his evidence disclosed that out of 38 workmen 19 workmen submitted in writing their consent for change of their status as piece rated workers to time rated workers and accordingly in view of option given by them they were placed in category II and in different other categories with initial basic wages w.e.f. 1-8-95. Out of the option forms filled up by 19 workmen 3 workmen viz Khublal Singh, Akbar Ansari and Sadadat Hussain have been superannuated from service and 2 workmen viz Srikant Roy and Mundrika Singh were transferred to C. V. Area. This witness admitted that management issued pay protection order in favour of rest 19 workmen who did not submit any written consent in view of Circular issued dt. 12/13-3-99 (Exht. M-2). It is the contention of the management that as the rest 19 workmen opted to work as T.R. worker in writing with undertaking not to claim pay protection they are not entitled to get such relief.

M. W. 1 during his cross examination admitted that by the Circular marked as Exht. W-2, 38 workmen were converted in T.R. workers from P.R. workers with initial basic pay of their category in which to be regularised. It is seen that out of these 38 workers, 19 workers who did not opt for T.R. category from P.R. category were given the benefit of pay protection in view of office order issued by the management dt. 12/13-3-99 though their wages were fixed with initial basic pay when they were converted to T.R. category along with rest 19 workers vide office order dt. 28-2-95/1-3-95 (Exht. W-2). It is seen that 19 workers were converted to T.R. category in view of option given by them under their own signature/LTI and admitted to accept their fixation of pay with initial basic wages w.e.f. 1-3-96. Referring the option forms (Exht. M-1) series duly executed by these 19 workmen management submitted that question of issuing notice under Section 9-A did not arise as change of service condition was done absolutely in view of option executed by them. Management categorically denied the fact that taking the opportunity of the duress they obtained those option forms from these 19 workmen. The option forms (Exht. M-1 series) shows clearly that in presence of the witness each of the 19 workers either signed or put their LTIs expressing their willingness to be placed in T.R. category accepting initial basic wages in that category. Accordingly, burden of proof rests on these workmen to establish that under duress they compelled to execute the option forms. In course of hearing the sponsoring union has failed to substantiate such allegation and for which there is no scope at all to uphold their contention. Considering the facts and circumstances there is sufficient scope to say that these 19 workmen were fully aware about change of their service conditions from P.R. category to T.R. category. Therefore, the allegation which they have brought against the management that without giving notice under Section 9-A of the I.D. Act they have changed their service conditions finds no basis at all.

Considering the evidence of both sides it has been exposed that out of 38 workmen management changed the category of 19 workmen on the basis of option given by them but it is evident that in respect of the rest 19 workmen their category to T.R. worker was converted without getting any option from them. It has been admitted by the management that by office order dt. 12/13-3-99 (Exht. M-2) pay protection was given to those 19 workers. It is seen that as the other 19 workers submitted their options they have been deprived of getting such benefit though at the initial stage names of all the 38 workers were included in the office order (Exht. W-2) as T.R. category with initial basic pay of that category to which they have been regularised. Management changed the situation by office order dt. 12/13-3-99 (Exht. M-2) and by this office order they have created a clear division in between those 38 workers. It is very clearly evident that 19 workers who did not give option while were provided with the benefit of pay protection the rest 19 workers had been deprived of only for the reason that they have expressed their willingness to change their category. There is sufficient reason to believe that for adopting their discriminative policy a section of workers have been deprived of equal wages with that of other workers inspite of rendering equal service in same category. Absolute burden is on the management to establish that the discriminative policy which they adopted was not against the principle of equity and justice. In course of hearing the representative of the management have failed to justify the decision adopted by them. The equity and justice speaks that every person is entitled to get equal pay for equal job.

Instead of following this principle management adopted a clear discriminative policy to creat a division amongst the workers. It is not at all expected that a portion of the workers should be deprived of getting pay protection for the reasons that they have executed options to change their category. Such discreminative policy adopted by the management I should say is not only illegal but also arbitrary and violative to the principle of natural justice.

Accordingly, in view of my discussion above I hold that the 19 workers who have executed their options for change their category i.e. P.R. category to T.R. category shall get pay protection based on the same footing of 19 others workers who have got their pay protection in view of office order dt. 12/13-3-99.

In the result the following award is rendered :

"That the demand of the Union for the protection of wages from the retrospective effect and regularisation in T.R. jobs of S/Sri Ranashish Paswan and 37 others (as per list enclosed) is legal and justified.

However, as management admitted that they have already issued order of pay protection to S/Shri Dashrath Das and 18 others workers (list enclosed as Exht. W-3) management is directed to issue pay protection order in favour of Chhotan Das and 18 other workers who have executed their options to T.R. category on the same footing with 19 workers

who have already got their pay protection, within three months from the date of publication of award in the Gazette of India."

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 485.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को०लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/ श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 110/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 20012/174/98-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 485.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 110/99) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L- 20012/174/98-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 110 OF 1999

PARTIES : Employers in relation to the management of C. V. Area of M/s BCCL and their workmen:

APPEARANCES :

On the behalf of Workman : Mr. S. N. Sinha,
Ld. Advocate

On the behalf of employers : Mr. B. M. Prasad,
Ld. Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 14th December, 2005

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/174/98-IR (C-I), dated, the 27th January, 1999.

SCHEDULE

"Whether the action of the management of C. V. Area of BCCL in dismissing Sh. Rabi Manjhi, Ex-U.G. Loader of Basantimata Colliery from the services of the Company on the only charge of his absence from duty from 16-4-1995 is justified? If not, to what relief is he entitled?"

2. The case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :

The sponsoring union submitted that the concerned workman was under ground Loader at Basantimata Colliery. They submitted that owing to illness of the concerned workman he could not report to his duty and the said fact was duly intimated to the management by him. After recovery from his ailment when he went to his place of his work with a view to resume his duty he was not allowed to join there and subsequently management by letter no. BM/PO/97/854 dt. 8/12-4-97 dismissed him from service without any charge sheet or holding any departmental enquiry against him.

After the said order of dismissal he submitted several representations to the management with a prayer to reinstate him in service but to no effect and for which he compelled to raise Industrial Dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication.

Accordingly, concerned workman submitted prayer to pass award directing the management to reinstate him in service from the date of his dismissal from service with full back wages and consequential relief setting aside the order of dismissal.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workmen.

They submitted that the concerned workman was under-ground loader at Basantimata Colliery. They disclosed that the concerned workman developed the habit of remaining unauthorised absence from duties without permission or information and without any justifiable cause. His habit of remaining himself absent from duty was so ugly that during the year 1992 he put his attendance for 92 days while during 1993 and 1994 he did not put his attendance for a single day. In the year 1994 he put his attendance for only 80 days and remained absent from duty w.e.f. 16-4-95 to 23-8-95 continuously without taking any permission or giving any information to the management. As unauthorised absence from 16-4-95 to 23-8-95 amounted to misconduct a charge sheet dt. 24-8-95 was issued to him and thereafter a departmental enquiry was initiated against him.

They submitted that in the said Departmental enquiry, the enquiry officer gave him full opportunity to defend his case. After completion of the said enquiry the enquiry

officer submitted his report holding the concerned workman guilty to the charges brought against him. The Disciplinary Authority thereafter considering the report and also considering all material aspects dismissed the concerned workman from service.

Management submitted that they neither committed any illegality nor took any arbitrary decision violating the principle of natural justice in dismissing the concerned workman from his service and accordingly submitted prayer to pass award rejecting his claim.

4. POINTS TO BE DECIDED

"Whether the action of the management of C. V. Area of BCCL in dismissing Sh. Rabi Manjhi, Ex-U.G. Loader of Basantimata Colliery from the services of the Company on the only charge of his absence from duty from 16-4-1995 is justified? If not, to what relief is he entitled?"

5. FINDING WITH REASONS

It transpires from the record that before taking up hearing of this case on merit it was taken into consideration if domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice.

The said issue on preliminary point was disposed of vide order no. 19 dt. 5-9-05 in favour of the management holding that domestic enquiry conducted by the Enquiry Officer was fair, proper and in accordance with the principle of natural justice.

Now, the point for consideration is if the management have been able to substantiate the charge brought against the concerned workman, and if so, whether there is any scope to review the order of dismissal issued against him as per provision laid down in Section 11-A of the I.D. Act.

During hearing charge sheet issued to the concerned workman for committing misconduct under clause 26:1:15 of the Certified Standing order was marked as Exht. M-2.

Clause 26:1:15 speaks "Causing willful damage to work in progress or to the property of the employer".

It is the specific allegation of the management that the concerned workmen developed the habit of remaining unauthorised absence from his duties without permission or information and without justifiable cause. They submitted that in the year 1992 concerned workman put his attendance for 62 days while during 1993 and 1994 he did not put attendance for a single day. In the year 1995 he worked only for 80 days and started absents from duties w.e.f. 16-4-95 upto 23-8-95 continuously without giving any intimation or taking prior permission from the management. As his period of unauthorised absence was for more than 10 days, a chargesheet on the allegation of committing misconduct under clause 26:1:15 was issued to him and thereafter, a domestic enquiry was initiated against him.

On the contrary the concerned workman in his written statement disclosed that as he was suffering from illness and beyond control of the circumstances he did not get

scope to allow his duties though he intimated the matter to the management in due course. He further submitted that management dismissed him from service without issuance of any charge sheet and also without giving him any notice of enquiry dismissed him from service.

Considering the enquiry papers marked as Ext.M3 series it transpires clearly that the concerned workman participated himself in the hearing of enquiry proceedings conducted by the Enquiry Officer and put his L.T.I. in day to day hearing of the proceedings. Thus it is clear that knowing fully well of the charge of misconduct he participated in the hearing of the enquiry proceedings. It is not the case of the concerned workman that no opportunity was given to him to defend his case at the time of hearing. On the contrary in course of hearing on preliminary point his representative accepted the fairness of the enquiry. Considering all these aspects it is clear that the allegation which he ventilated against the management that neither he received any charge sheet nor notice of enquiry was issued to him finds no basis.

It is his specific contention that owing to his serious illness and due to unavoidable circumstances he could not get scope to attend his duty and this matter was duly intimated to the management. It is clear that the concerned workman all through not only remained present in course of hearing of the enquiry proceedings but also gave his statement which was duly recorded by the Enquiry Officer. At the time of giving his statement he asserted that owing to his illness he could not attend to his duty and by registered post he gave due intimation to the management. Accordingly burden of proof is on him to establish that actually he was lying ill and that fact of his illness was duly intimated to the management by registered post.

In support of his claim before the Enquiry Officer he produced the postal receipt and medical certificate issued by the Doctor. Enquiry report submitted by the Enquiry Officer during hearing was marked as Ex.M-5. The Enquiry Officer in his report disclosed about submission of sick certificate by the concerned workman. From the sick certificate it revealed that he was suffering from "Nefritis". The Enquiry Officer in his report opined that the concerned workman did not report to Colliery hospital for his treatment but did not use a single word if he disbelieved the said sick certificate or not. From the report of the Enquiry Officer it has been further exposed that the concerned workman gave his explanation why he did not attend colliery hospital for his treatment. He disclosed that as blood was coming out with urine he immediately went to the Chamber of Local Doctor for his treatment and when his condition improved he sent information to the management about his sickness. Explanation given by the concerned workman before Enquiry Officer appears to be cogent. In case of emergency, for the protection of his life a workman has every liberty to select his Doctor for his treatment. Accordingly there is no scope to say that concerned workman for his immediate treatment attending the chamber of Local Doctor committed any mischief. From his statement I find that he was a patient of 'Nefritis' and for which he could not get scope to attend his duty and secondly he intimated his sickness to the

management by registered post. Postal receipt which he produced before the Enquiry Officer has supported his claim. There is no whisper on the part of the management if they received such intimation or not. It has also not been claimed by the management that the postal receipt which he produced was manufactured. It has not been denied by the management that the Medical Certificate which he relied on is also a manufactured document.

Enquiry Officer in his report did not make any sort of finding that he disbelieved the sick certificate and postal receipt produced by the concerned workman.

He found the concerned workman guilty to the charge taking into consideration that he did not attend colliery hospital for his treatment though there was ample scope of getting specialised treatment there. During hearing management have failed to produce any such Circular that the workman shall not be allowed to get his treatment elsewhere excepting in the hospital of the colliery. I have already discussed above that a workman's right cannot be curtailed on selecting the place of his treatment. Question is whether in the name of treatment the concerned workman submitted false sick certificate after enjoying unauthorised leave. The Enquiry Officer in his report did not expose any doubt about genuinity of the sick certificate produced by the concerned workman. Therefore, it is clear that he ignored the said sick certificate incoming to his decision that the concerned workman was guilty to the charge brought against him. Such finding I should say is absolutely arbitrary and violative to the principle of natural justice.

It is specific allegation of the management that the concerned workman during 1992 put his attendance for 62 days while during 1993 and 1994 he did not put his attendance for a single day. Though such specific allegation was brought against him management in spite of getting ample opportunity did not produce any paper before the Enquiry Officer to substantiate such claim. It is to be borne in mind that an allegation finds no weight until and unless the same is substantiated by cogent evidence.

As management have failed to establish the fact before Enquiry Officer in course of hearing of the Enquiry proceeding. I find no scope to take cognizance of such allegation.

It is admitted fact that the concerned workman remained himself absent from duty with effect from 16-4-95 to 23-8-95. Concerned workman producing his sick certificate clearly explained to Enquiry Officer under which circumstances he was unable to attend his duty. It is seen that management on the ground of committing misconduct under clause 26:1:15 issued charge sheet to the concerned workman. Clause 26:1:15 of the Certified Standing Order speaks:

"Causing wilful damage to work in progress or to the property of the employer."

Allegation of remaining unauthorised absence by the concerned workman finds no prima facie bearing with the contents of this clause i.e. clause 26:1:15 of the Certified

Standing Order. Therefore burden of proof rests on the management to establish that unauthorised absence of the concerned workman caused wilful damage to work in progress or to the property of the employer. It is seen that in course of hearing of the enquiry proceeding on the side of the management three witnesses were examined. These witness during their examination failed to produce any material evidence to establish that unauthorised absence of the concerned workman caused wilful damage to work in progress or to the property of the employer. It is peculiar to note that the Enquiry Officer after completion of the hearing of enquiry proceedings submitted his report holding the concerned workman guilty to the charge brought against him without making slightest observation that if absence of the concerned workman caused wilful damage to work in progress or to the property of the employer. Before coming to his finding he only observed that the concerned workman avoided to take his treatment being a patient of 'Nefrititis' from colliery hospital though there was scope for getting specialised treatment.

Such observation in no circumstances proves the charge brought against the concerned workman under clause 26:1:15 of the Certified Standing Order.

Accordingly, after careful consideration of all facts and circumstances I hold that management have lamentably failed to establish the charge brought against the concerned workman. Accordingly, order of dismissal issued against the concerned workman by the management is declared illegal and the same is liable to be set aside.

In the result the following award is rendered:

AWARD

"That the action of the management of C. V. Area of BCCL in dismissing Sri Rabi Manjhi, Ex-U.G. Loader of Basantimata Colliery from the services of the Company on the only charge of his absence from duty from 16-4-95 is not justified.

Order of dismissal issued by the management against the workman named above is declared illegal and hence it is set aside.

Management are directed to reinstate the concerned workman to his service within three months from the date of publication of the award in the Gazette of India.

Concerned workman however will not get any back wages."

B. BISWAS, Presiding Officer.

नई दिल्ली, 9 जनवरी, 2006

का. आ. 486.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. लि. के प्रबंधन के संयुक्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद-II के पंचाट (संदर्भ संख्या

131/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं. एल- 20012/133/2000-आई आर (सी-1)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi the 9th January, 2006

S. O. 486.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 131/2000) of the Central Government Industrial Tribunal/Labour Court Dhanbad-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L- 20012/133/2000-IR (C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD.

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 131 OF 2000

PARTIES: Employers in relation to the management of Barka Sayal M/s. BCCL and their workman.

APPEARANCES:

On the behalf of Workman : Mr. U.P. Sinha, Advocate

On the behalf of employers : Mr. B. M. Prasad, Advocate

State : Jharkhand Industry : Coal.

Dated Dhanbad, the 15th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication Vide their Order No. L-20012/133/2000-I.R. (C-I), dated, the 27th September, 2000.

SCHEDULE

"Whether the action of the Management of Laikdih Deep Colliery of M/s. BCCL in not regularising Sri Ibrahim Ali as Magazine Clerk is justified? If not, to what relief is the concerned workman entitled and from what date?"

2. Case of the concerned workman according to written statement submitted by the sponsoring union on his behalf in brief is as follows :—

The sponsoring union submitted that the concerned workman Ibrahim Ali is an employee of Laikdih Deep Colliery. They submitted that being directed by the Agent of the said colliery said workman started working at Colliery Magazine with effect from 17-12-93 and he was entrusted on the job of Issue and Receipt of explosive—a Job which is performed by a Magazine Clerk. They submitted that in that capacity the concerned workman was allowed to work for more than 5 years and during this period he performed duties as such for more than 240 days in a year. They further submitted that after rendering his service as Magazine Clerk for a period of one year he claimed for his regularisation in that capacity but the Management did not consider his such prayer and for which they on behalf of the concerned workman took up the matter in area level. Management of area level at time of talk with them though assured to regularise the concerned workman as Magazine Clerk did not keep their words and for which they raised an industrial dispute on behalf of the concerned workman in the year 1998 for conciliation which ultimately resulted reference to this tribunal for adjudication. Accordingly the sponsoring union submitted prayer to pass award directing the management of Laikdih Deep Colliery under Chanch Victoria Area to regularise the services of the concerned workman as Magazine Clerk with effect from 17-12-1993 along with back wages and other consequential benefits.

3. Management on the contrary after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman. They submitted that after introduction of cadre scheme duly formulated by JBCCI there is no scope of regularisation of any time rated or piece rated worker on any clerical post, as because, all workmen possessing requisite qualifications and experience are eligible for consideration of clerical post on the basis of decision made by Selection Committee constituted for selection of candidates in clerical cadre. They submitted further that the management also has issued a circular directing all the area management not to divert any piece rated or time rated worker into clerical job and if any person was allowed to work in that capacity by the local management after 1-7-92 such worker should be reverted to his original job taking into consideration that no one could claim regularisation by virtue of any authorisation obtained from local management. They disclosed that according to the provision of cadre scheme and also as per the circular of the management a workman belonging to Time rated or piece rated group cannot claim for his regularisation on clerical post by virtue of any authorisation granted to him by any officer of the local management permitting him to work on any clerical job. It has been asserted by the management that the concerned workman Ibrahim Ali was in the post of Explosive carrier in time rated category and he was required to carry explosive from the magazine to

the Mines during shift hours. He was authorised to work as Explosive carrier as per provisions of Coal Mines Regulations, 1957. By virtue of his carrying explosives as the concerned workman gained some experience on the jobs of issue of explosives to the explosive carrier and return of the explosives unused in the Mines the local management authorised him to perform the job of issue and receipt explosives to the explosive carriers during the leave and sick vacancies of explosive issue clerk or the magazine clerk during a particular shift. Thus the aforesaid authorisation was purely for performing the job of issue and return of explosives only during temporary vacancies and such job was not full time job of the Magazine clerk. The Magazine clerk is required to perform various clerical jobs besides the job of issue and return of explosives. The concerned workman only was entrusted to perform a part of the job of Magazine clerk as and when required. Knowing fully well of this fact the sponsoring union has pressed for his permanent absorption on the job of Magazine clerk.

They disclosed that before any Time rated category worker is put on clerical grade he must pass the selection test conducted by the Selection Committee duly constituted by the competent authority. Thereafter he is required to perform his duties for a certain period as probationer and after satisfactory performance of his duties as probationer he is made permanent by way of confirmation and is regularised on specific grade attached to such post. It has been submitted by the management that as soon as the higher management came to know that the concerned workman was allowed to perform his job of issue and return of explosives on temporary or casual basis by the Agent of the Colliery, in contravention of the cadre scheme and specific direction of the management, he was reverted back to his original post. They disclosed that the concerned workman is working as Pump Operator in the mine on time rated job from the year 1998 and he is no longer working on the post of explosive carrier. Accordingly he does not have any relationship with the Magazine or working on the job of issue and return of explosives under authorisation of the Agent of the Colliery. Accordingly they submitted that claim of the concerned workman for his regularisation in the post of Magazine Clerk finds no basis and for which his prayer is liable to be rejected.

4. POINTS TO BE DECIDED

“Whether the action of the management of Laikdih Deep Colliery of M/s. BCCL in not regularising Sri Ibrahim Ali as Magazine Clerk is justified? If not, to what relief is the concerned workman entitled and from what date?”

5. FINDING WITH REASONS

It transpires from the record that sponsoring union with a view to substantiate their claim examined the concerned workman as WW-1. Management also in support of their claim examined one witness as MW-1. WW-1 during his evidence disclosed that initially he got his employment as General Mazdoor under Cat. I at Laikdih Deep Colliery under the management. One year after his service as General Mazdoor he was posted as Explosive carrier in the same

colliery. This witness disclosed that he is matriculate and as part of his duty he used to collect explosive from the magazine and also used to carry the same to appropriate place for use. This witness further disclosed that at that relevant time three clerks were posted in the magazine department and subsequently out of three clerks two clerks were transferred from magazine department and the said two posts of clerk were not filled up and for which the same remained vacant. Thereafter he disclosed that Manager of the said colliery issued letters time to time to work as clerk in the magazine department. The letters issued by the Manager in favour of the concerned workman to carry on the works of Magazine clerk in course of evidence were marked as Ext. W-1 to W-3 and Ext. W-4 to W-4/2. This witness disclosed that from 1993 to 1998 he worked in the magazine department under written direction of the Manager continuously and as part of his duty he used to issue explosive as per requisition and used to make note of issuance of magazine in the register and also used to carry on all other works there. Accordingly as this witness rendered the services of the magazine clerk continuously for years together he submitted representation to the management for his regularisation as Magazine clerk. But Management did not consider his prayer and for which he raised an industrial dispute through the sponsoring union for his regularisation as Magazine clerk. He further disclosed that over his regularisation as Magazine clerk there was a joint meeting between the union and the management at area level and the minutes of the meeting during his evidence was marked as Ext. W-5 and W-5/1. On the contrary MW-1 during his evidence admitting the fact that the concerned workman was an explosive carrier disclosed that by letter dated 17-12-1993 issued by the Manager, Laikdih Deep Colliery the concerned workman was deputed to work in the section for issuance and receipt of the explosives. This witness disclosed that part of duty of Magazine clerk is to issue explosives and also to receive explosives and as per Mines Act, Manager is competent to authorise any worker either to issue explosives or to receive explosives. He further admitted that some authorisation letters time to time were issued in favour of the concerned workman by the Manager to discharge his duties for issue and receipt of explosives in the Magazine department. He further categorically denied the fact that the concerned workman from 1993 to 1994 worked in the Magazine department continuously as clerk. This witness further disclosed that the post of explosive carrier comes under Cat. II while the post of clerk comes in Clerical Grade-III. The explosive carrier is time rated while the post of clerk is monthly rated. Selection Committee is entrusted to select departmental candidate for the post of clerk after maintaining necessary process. He further disclosed that as per circular of the H.Q. if any local arrangement is made by virtue of which a workman of piece rated or time rated is deputed to work in clerical grade he shall be reverted back to his original post. Accordingly this witness disclosed that the claim of the concerned workman is not justified.

Considering the evidence of WW-1 and MW-1 and also considering the facts disclosed in the pleadings of both sides there is no dispute to hold that the concerned

workman was an explosive carrier in time rated Cat. II. NCWA also has clearly pointed out how a clerk in Clerical Grade is appointed. It is the specific claim of the management that in case of selection of any departmental candidate in the post of clerk due processes are followed for his selection. However, in case of exigency and also in case of leave and sick vacancy, Manager of the Colliery absolutely for a limited period may allow any departmental candidate to work in the post of clerk but i.e. on absolutely temporary measure. In this connection management relied on a circular issued by the H.Q. whereby it has been made an embargo for allowing any Piece rated/Time rated worker to perform any job in monthly rated category. The said circular according to the management was issued in the year 1992. It is seen that at the relevant time i.e. during 1993 the work in the Magazine department used to be carried on three shifts and Magazine clerks in each shift were posted separately. MW-1 during his evidence admitted that at the relevant time Birendra Pandey, Nitai Deogharia were Magazine clerks posted in B shift under the management in the explosive section. But as they were transferred the said two posts remained vacant. The contention of the sponsoring union is that the local management authorised the concerned workman to work as Magazine clerk in the said vacant post, in the year 1993 and in that capacity he was allowed to work till 1998 and thereafter he was transferred from Magazine section to the Mine as Pump Operator. It is the specific allegation of the sponsoring union that management illegally and arbitrarily refused to regularise the concerned workman in the post of clerk in the post of Clerical Grade-III inspite of performing his duties as Magazine clerk for more than 240 days in each year during the period in question. They further submitted that for regularisation of the concerned workman in the post of Magazine clerk the concerned workman submitted representation to the management but to no effect. The matter in issue was also taken up for discussion at area level between the union and the Management and though management assured to consider the case of the concerned workman did nothing. In support of this claim the sponsoring union relied on the Minutes of the meeting marked as Ext. M-5 and M-5/1.

The office order marked as Ext. W-1 dated 17-12-93 issued by the Manager, Laikdih Deep Colliery speaks that the concerned workman who was explosive carrier was entrusted in the job of issue and receipt of explosives for Laikdih Deep Colliery from Chaneh Magazine considering the exigencies and gravity of work. The said order was valid from 17-12-93 to 16-2-94 or till posting of Magazine clerk at Laikdih Deep Colliery whichever is earlier. Prior to entrusting this job to the concerned workman one Paresb Bouri was entrusted to carry on the said job but by issuing of this Office Order his authorisation to issue and receipt of explosives was terminated. Thereafter on 21-2-1994 similar order was issued by the Agent/Manager in favour of the concerned workman and that order was valid upto 20-4-1994 or till posting of Magazine clerk at Laikdih Deep Colliery whichever is earlier. This order during evidence of WW-1 was marked as Ext. W-2. Therefore considering the Office Orders Ext. W-1 and W-2 that from 17-12-93 to

20-4-94 the concerned workman was entrusted to discharge his duties in the job of receipt and issue of explosives for Laikdih Deep Colliery from Chanch Magazine. Thereafter by Office order marked as Ext. W-3 dt 12-9-94 the Agent, Laikdih Deep Colliery again entrusted the concerned workman in the job of receipt and issue for explosives for Laikdih Deep Colliery from Chanch Magazine and that order came into effect from 12-9-94 to 11-11-94 or till posting of Magazine clerk at Laikdih Deep Colliery whichever is earlier. The office letter dt. 14-11-1994 marked as Ext. W-4 speaks that one Shri Dhananjay Dubey, General Mazdoor was authorised to work in Colliery Magazine for issue of explosives and to maintain record from 15-11-94 till the concerned workman resumes his normal duty as he went on leave. The Office Order marked as Ext. W-4/1 dt. 7/28-12-1994 show that further authorisation was issued in favour of the concerned workman by the Agent, Laikdih Deep Colliery in the job of issue and receipt of explosives for Laikdih Deep Colliery from Chanch Magazine considering the exigencies and gravity of the job for a period from 28-12-94 to 6-2-95. Again by Office Order dt. 26/1-7/8-1996 marked as Ext. W-4/2 the Agent of the same colliery authorised the concerned workman and four other workmen to issue and receive and handling the explosives and collecting the explosives from Chanch Magazine for Laikdih Deep Colliery. Therefore considering these office orders issued by the Agent/Manager of Laikdih Deep Colliery it is clear that the concerned workman was entrusted time to time in the job of issue and receipt of explosives for Laikdih Deep Colliery from Chanch Magazine. It is seen that over regularisation of the concerned workman in the post of clerk in clerical grade the sponsoring union had a meeting with the management of Chanch Victoria area on two occasion i.e. in the year 1995 and 1996. The minutes of meeting during evidence of the concerned workman were marked as Ext. W-5 and W-5/1. In the meeting held on 15-7-95 (Ext. W-5/1) it was resolved after discussion that the case of the concerned workman and another workman from time rated to monthly rated will be examined and necessary action will be taken. Till such time the workmen will not be disturbed. In the minutes of the meeting held on 11-7-1996 it was resolved that the management agreed that the details about the concerned workman will be sent to CMD for his perusal.

It is seen that thereafter concerned workman was transferred from magazine department to the mines as Pump Operator and since 1998 he is discharging his duties as Pump Operator.

Now it has to be taken into consideration how far the claim of the concerned workman stands on cogent footing for his regularisation as Magazine clerk. It is the specific claim of the management that issue and receipt of explosives in the magazine are not the only duties of Magazine clerk. It is a part of job which a Magazine clerk as part of his duty has to perform along with other jobs including clerical job. Disclosing this fact management submitted that as the concerned workman only was entrusted in the job of issue and receipt of explosives in the Magazine department which is a part job he cannot

claim for his regularisation as clerk in Clerical Grade. III. The Office Order marked as Ext. W-1 to W-4/1 have exposed very clearly that the concerned workman was entrusted to perform a piecemeal nature of job i.e. he was entrusted in the job of issue and receipt of explosives. These orders are absolutely silent if the concerned workman was allowed to perform his duties as Magazine Clerk. WW-1 during his evidence disclosed that not only he was engaged in the job of issue and receipt of explosive but also he had to perform the job as Magazine clerk as the post of Magazine clerks fell vacant there four years together. MW-1 during his evidence admitted the fact of falling vacant of two posts of Magazine Clerk in the magazine department. Therefore, there is no dispute to hold that two post of Magazine Clerk remained vacant in the magazine department of Laikdih Deep Colliery. As issue and receipt of explosives is a part job of magazine clerk and as the post of magazine clerk remained vacant there was no way out on the part of the management to entrusted any workman in the job of issue and receipt of explosive for operation of the Mine. However, entrustment of such specific job to any worker does not confer any right to discharge the duties of Magazine Clerk. Performance of specific job does not entrust workman to get his fulfilled claim over the post in question. The office orders which have been referred to above exposed clearly that the concerned workman was entrusted by Managers/Agent to perform a particular job and not the entire job of Magazine Clerk. Therefore, burden of proof rests on the sponsoring union to establish that fulfilled responsibility was vested on the concerned workman to work as Magazine Clerk. In course of hearing the sponsoring union has failed to produce an iota of evidence based on which there is scope to uphold the contention of the concerned workman that from 1993 to 1996 he discharged all the duties as Magazine clerk. The minutes of the meeting which have been referred to above also do not specify that the concerned workman has performed the job of Magazine clerk and for which his regularisation in the said post was deserving. Pending decision of the appropriate authority the concerned workman only was allowed to perform his duties in the job of issue and receipt of explosives in view of Office Orders issued by the Manager/Agent of Laikdih Deep Colliery. Therefore, considering all the documents on record I have failed to find out any such cogent material based on which there is scope to draw conclusion that the concerned workman was authorised to discharge his duties as Magazine clerk. Performance of a part of job of Magazine clerk cannot ipsofacto justified any claim to get his regularisation as Magazine clerk. Therefore, on careful consideration of all the materials on record that the claim of the sponsoring union for regularisation of the concerned workman in the post of Magazine clerk finds no basis and for which the concerned workman is not entitled to get any relief. In the result, the following Award is rendered. —

“The action of the management of Laikdih Deep Colliery of M/s. BCCL in not regularising Sri Ibrahim Ali as Magazine clerk is justified. Consequently, the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 487.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 303/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-20012/32/99-आईआर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 487.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 303/99) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No. L-20012/32/99-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD

PRESENT

Shri B. Biswas,
Presiding Officer.

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I.D. Act, 1947

REFERENCE NO. 303 OF 1999

PARTIES : Employers in relation to the
management of M/s. BCCL and
their workman.

APPEARANCES

On the behalf of the workman : Mr. B. N. Singh,
Authorised
Representative.

On the behalf of the employer : Mr. D. K. Verma,
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 15th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/32/99-IR (C-I), dated the 24th August, 1999.

SCHEDULE

"Kya B.C.C.L Kusunda Kshetra IV key pravandh
tantra dwara Shri Vasant Yadav ko unkey dono

ghutno mey chot khane par karya key liya upaukht
na mantey hue iis adhar par unkey ashrit ko naukri
na diya jana uchit evam naya sangat hai? yadi nahi
to sambadhit karmkar alhaba unkey ashrit kis rahat
key patra hai?"

2. The case of concerned workman according to
Written Statement submitted by the sponsoring union on
behalf of the concerned workman in brief is as follows :—

The sponsoring union submitted that the concerned
workman Vasant Yadav was underground trammer at East
Busseriya Colliery. They submitted that while the
concerned workman was on duty he met an accident on
21-9-95 in the underground and for the said accident his
both knees were awefully damaged. He was removed to
hospital of the management for his treatment and remained
under treatment for a long period but he did not recover
fully and for which he became unable to move and sit freely.
As a result he became disabled and was compelled to move
with the help of cratch. They alleged that though the
concerned workman lost his free movement, the Project
Officer of East Busseriya Colliery vide letter No. 2929/95
dt. 1-11-96 deputed him to work on the surface based on
the medical report bearing No. 41/4604 dt. 16-10-96. They
submitted further that as the concerned workman was not
in a position to move normally it was not possible on his
part to discharge duties on the surface and for which he
submitted representation to the management to declare
him medically unfit and to provide employment to his
dependent as per provision of NCWA. So that he could
look after him and his family members. But the management
did not pay any heed to his such prayer. As a result he was
compelled to raise industrial dispute in the year 1997
through the sponsoring union. During hearing of the
conciliation proceeding ALC (C) also made his comment
to asking the management to declare the concerned
workman medically unfit and to provide employment to his
dependent son in lieu him but that approach did not yield
any result.

Under such circumstance the concerned workman
submitted prayer before the Medical Board of the State
Government for assessment of his disability/incapacity
during pendency of the hearing of conciliation proceeding.
In view of his such prayer the Medical Board of the Govt.
examined him and declared him disabled and submitted its
report dt. 23-2-98 in the said report he was declared
physically handicapped. In spite of that medical report
management did not give any importance to it and also did
not consider necessary to declare him medically unfit for
the purpose of giving employment to his dependent son
despite repeated advice made by the ALC (C). Dhanbad
during hearing of the conciliation proceeding. Ultimately
as the conciliation proceeding ended in failure present
reference was initiated by the Govt. of India, Ministry of
Labour for adjudication. Concerned workman accordingly
submitted prayer to pass award directing the management
to declare him medically unfit for work sustaining injury in
his both knees and also to provide employment to his
dependent son on compassionate ground as per provision
of NCWA.

3. Management on the contrary after filing Written Statement-cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in their Written Statement submitted on behalf of the concerned workman. They submitted that the concerned workman Basant Yadav while was engaged as underground trammer at East Busseriya Colliery he met an accident on 21-9-95. They submitted that the Disability Board of the Central Hospital assessed his disability to the extent of 10% and declared the concerned workman fit for his service job. Accordingly management advised him for surface job but he did not join to his duty and started remaining himself absent from duty. They submitted that on request of the concerned workman he was again sent to the Apex Medical Board for his further medical examination and also to review the previous report. Apex Medical Board reviewed his case and declared him fit for surface duty vide their report dt. 12-10-96. Accordingly they submitted that the demand of the concerned workman for declaring him unfit is neither legal nor justified and for which his claim for employment on compassionate ground to his dependent son as per NCWA finds no basis. Accordingly management submitted prayer to pass Award rejecting the claim of the concerned workman.

4. POINTS TO BE DECIDED

"Kya B.C.C.L Kusunda Kshetra IV key pravandh tantra dwara Shri Vasant Yadav ko unkey dono ghutne mey chot khaney par karya key liya upaukt na mantey is adhar par unkey ashrit ko naukri na diya jana uchit evam naya sangat hai? yadi nahi to sambadhit karmkar ahaba unkey ashrit kis rahat key patra hai?"

5. FINDING WITH REASONS

It transpires from the record that the sponsoring Union with a view to substantiate their claim examined the concerned workman as WW-1. Management also in support of their claim examined two witness as MW-1 and MW-2. WW-1 during his evidence disclosed that he got his appointment at East Busseriya Colliery as Trammer and his due date for super-annuation was in the year 1999. He submitted that on 21-9-95 while he was on duty he met an accident and as a result of which he sustained serious fractured injury in his leg. Immediately after that accident he was removed to East Busseriya Hospital for his treatment and from that hospital for his further treatment he was removed to Central Hospital, Dhanbad. He disclosed that for his treatment he remained in the hospital of the management as indoor patient for one year. He submitted that as a result of that accident he became a handicapped person and inspite of getting knowledge of his physical condition management placed him for duty on the surface which was not possible for him to perform. He requested the management to sent him to the Medical Board for declaration of his medical unfitness. But as the management did not take any step he attended Civil Hospital, Dhanbad and after examination the Medical Officers of the said Hospital issued a certificate assessing 45% of his physical disability. The said medical certificate during his evidence was marked as Ext. W-1. Other medical papers relating to

his treatment during his evidence were as Ext. W-2 and W-2/1. This witness disclosed that he got his superannuation from his service from the month of April, 1999 ignoring his claim. MW-1 in course of his evidence admitting the fact of the accident of the concerned workman as stated by him submitted that after the said accident not only proper treatment was provided to him at Company's Hospital but also he was paid wages during the period of his treatment. He further admitted that for his disablement to the extent of 10% management paid compensation to him as per provision of law. He admitted that the concerned workman submitted application for his medical test by the Apex Medical Board for his further medical examination relating to his fitness. In view of his prayer he was again medically examined by the Medical Officers of Apex Medical Board and he was declared physically fit to work. Accordingly in view of that report management provided him work on the surface. Subsequently he got his superannuation from service and accordingly this witness disclosed that claim made by the concerned workman was not justified. MW-2 during his evidence corroborated the evidence of MW-1. This witness in addition further disclosed that for assessment of disability of the concerned workman resulted out of the said accident he was forwarded to Central Hospital, Dhanbad for his appearance before the Medical Board to assess the extent of his disability sustained by him. The said Medical Board examined him and submitted report to the effect that he sustained 10% permanent disability and for which they recommended surface job to him. On the basis of that recommendation he was provided the surface job but instead of joining his duty he again submitted representation for his further medical examination by the Apex Medical Board. In view of that representation and as the concerned workman did not join to his duty inspite of his duty allotted to him on the surface in view of the report submitted by the Medical Board, Central Hospital, Dhanbad a notesheet was prepared and thereafter approved by the Director of Personnel, concerned workman again was sent to the Apex Medical Board for his further medical examination. The notesheet which was prepared in that regard marked as Ext. M-2. The concerned workman was examined by the said Board and supported the report submitted by the Medical Board, Central Hospital, Dhanbad relating to the extent of disability sustained by him. The report during evidence of this witness was marked as Ext. M-3. Thereafter management again issued letter to the concerned workman directing him to join his duty (Ext. M-5). This witness disclosed that as the concerned workman was declared physically disabled to the extent of 10% and as he was not declared disabled permanently by the Medical Board there was no scope to declare him medically unfit and for which question of providing employment to his dependent son on compassionate ground could not be considered. Now considering the evidence of the workman's witness and management witness and also considering the facts disclosed in the pleadings of both sides there is no dispute to hold that the concerned workman was underground Trammer at East Busseriya Colliery. It is admitted fact that while the concerned workman was on duty in the underground he met an accident on 21-9-95 and as a result of which he sustained

serious injuries to his leg. Immediately he was taken to local colliery hospital for his treatment and thereafter he was transferred to Central Hospital, Dhanbad for his treatment. It transferred to Central Hospital, Dhanbad for his treatment. It transpires further that in connection with his treatment the concerned workman had to remain in the said hospital for about one year as an indoor patient. The contention of the management is that during the period of his treatment in the hospital the concerned workman was not only paid wages under injury on duty but also paid compensation for the said accident. It is admitted fact that after the said accident Medical Board of Central Hospital, Dhanbad assessed the physical disability of the concerned workman to the extent of 10% and for which they recommended to provide him surface job. On the contrary the contention of the workman is that for the said accident his movement was totally restricted and he could not move without the help of the crutch. He further disclosed that when his physical condition came to such position he was seriously aggrieved with the report of the Medical Board for assessment of his disability to the extent of 10%. He further disclosed that with such physical disability was not possible on his part to work even on the surface as directed by the management. Accordingly he submitted prayer for sending him again to the Apex Medical Board for declaration that he was medically unfit and simultaneously he claimed for employment of his dependent son on compassionate ground as per provision of NCWA. It is seen that in response to that prayer of concerned workman for his further medical examination by the Apex Medical Board a notesheet was prepared marked as Ext. M-2 and with the approval of the Director of Personnel he was again sent to Apex Medical Board for his medical examination. It is seen that the Apex Medical Board after examination opined as follows:—

“On examination it is found that Shri Basant Yadav, UG Trammer of East Basuriya Colliery is having moderate restricted movements of the left knee which is not causing any restriction in his erect position. There is no restriction of movement in right Knee.

The members of the medical Board Committee recommended him fit for surface job on 12-10-96. The committee still adheres to its previous decision for his fitness for surface job.

It is pertinent to mention here that this surface job is not necessarily the job of a surface trammer.”

This report was signed by as many as 5 senior Medical Officers who were members of the said Board. After that report the concerned Workman was again directed to join his duty on the surface but he did not comply the order of the management. As such the concerned workman remained absent till the date of his superannuation. On the contrary the concerned workman being aggrieved by the decision of the Apex Medical Board appeared before the Government Hospital at Dhanbad where he was examined by a team of three Doctors and after examination they opined that the concerned workman sustained 45% permanent disability. The report of the Govt. Hospital during evidence of concerned workman was

marked as Ext. W-1. While the medical Board of the Govt. Hospital Dhanbad examined the concerned workman on 23-2-98, the Medical Board of the Management examined the concerned workman for assessment of his permanent disability on 14-10-96. The Apex Medical Board on the contrary examined the concerned workman on 1-3-1997 i.e. about one year after his examination by the Apex Medical board the concerned workman was examined by the Doctors of the Govt. Hospital at Dhanbad. It is really curious to note that while two Medical Boards of the Management after examination of the concerned workman opined that the concerned workman sustained 10% disability, the Medical Officers of the Govt. Hospital, Dhanbad assessed that he sustained 45% physical disability. But the Doctors of the Government Hospital did not point out actually how they came to the conclusion that the concerned workman sustained 45% physical disability. Whatever may be the facts it is clear that the concerned workman was physically handicapped. Now the question which comes in whether for such physical handicappedness the concerned workman was permanently disabled to perform any job or not?

It is admitted fact that the concerned workman submitted application for declaring him medically unfit being a permanent disabled person and also to provide employment to his dependent son on compassionate ground. As per clause 9-3-1 of NCWA-V employment would be provided to one dependant of workers who are disabled permanently and also those who die while in Service. Clause 9.4.0 of NC WA-V speaks as follows:—

Clause 9.4.0 - Employment to one dependant of a workman who is permanently disabled in his place.

(i) The disablement of the worker concerned should arise from injury or disease, be of a permanent nature resulting into loss of employment and it should be so certified by the Coal company concerned.

Therefore, according to this clause two conditions are required to be fulfilled. The first condition is that the disability which a worker sustained should be in permanent in nature and secondly that disability resulted loss of employment. Here in the instant case there is no dispute to hold that as a result of the said accident the concerned workman sustained permanent disability to certain extent but the degree of that disability was not such which resulted into loss of his employment. It transpires clearly from the report of the Apex Medical Board that the disability sustained by the concerned workman as does not invite loss of employment he may be provided job on the surface. It is clear that it was not possible on the part of the Coal Company to certify for employment to the son of the dependent in view of claim made by the concerned workman. No doubt, the concerned workman relied on the Medical report issued by the Government Hospital at Dhanbad. That report undoubtedly declared the concerned workman disabled to the extent of 45% and he was declared handicapped but there is no certification to that effect that due to physical disability the concerned workman was not capable to work. Therefore, there is no scope to draw any conclusion based on the report of the Govt. hospital if the concerned workman was absolutely incapable to work.

As per NCWA, in view of my discussion above employment to the dependant son only can be provided if the worker loses his service for his disablement arising out of injury. Here it is seen that the concerned workman did not sustain to such extent of permanent disability which restrained him permanently to work. Until and unless this fact is established the provision for employment to dependant son as per Clause 9.3 (1) does not attract. Accordingly in view of the facts and circumstances discussed above the claim of the concerned workman for employment of this dependant son on compassionate ground is not sustainable as per provision of NCWA, and for which he is not entitled to get any relief. In the result, the following Award is rendered:—

“The management of Kusunda Area No. VI of BCCL in finding Shri. Basant Yadav, fit for work after sustaining injury by him in his both knees and on the basis of the same denying employment to his dependent is proper and justified. Consequently the concerned workman is not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 488.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 45/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था।

[सं० एल-20012/409/97-आईआर(सी-1)]
एस.एस. गुप्ता, अवर सचिव

New Delhi the, 9th January, 2006

S.O. 488.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the award (Ref. No.45/99) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L-20012/409/97-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD.

PRESENT

Shri B. Biswas,
Presiding Officer.

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I.D. Act., 1947.

REFERENCE NO. 45 OF 1999

PARTIES:

Employers in relation to the
management of Patherdih Coal
Washery of M/s. BCCL and
their workman.

APPEARANCES

On the behalf of the workman : Mr. K. Chakravorty
& Mr. D. Mukherji,
Ld. Advocates

On the behalf of the employer : Mr. D. K. Verma,
Ld. Advocates.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 15th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication *vide* their Order No. L-20012/409/97-I.R. (C-I), dated, the 18th August, 1999.

SCHEDULE

“Whether the action of the management of Patherdih Coal Washery of M/s. BCCL in terminating the services of Sri Kanhai Rewani, an unskilled workman, with effect from 11-2-74 on the ground of absence from duty; whereas the concerned workman remained under the treatment of Mahadevi Birla T.B. Sanatorium, Ranchi, with effect from 9-3-73 as per Company's Medical Board's recommendations is legal and justified? And whether the action of the management in not providing employment to the dependant of Kanhai Rewani is legal and justified? If not, to what relief the dependant is entitled?”

2. The case of sponsoring union according to written statement submitted by them in brief is as follows:

The sponsoring union submitted that Kanhai Rewani was a permanent unskilled workman of Patherdih Coal Washery. During the period of his service he fell ill from T.B. and was remained under treatment of Colliery Doctors but as he was not cured, he was referred to Mahadevi Birla T.B. Sanatorium, Ranchi by the Management for his better treatment. They submitted that while he was under treatment there management discharged him from his service on the alleged ground of absence from duty illegally and arbitrarily taking anti labour policy.

They alleged that said termination of his service with out assigning any reason and without affording any opportunity to defend himself was ultere violation of the provision of Standing Orders applicable to the empolyces of the management. They disclosed that the hospital authority also discharged him from hospital consequent to his discharge from service by the management and as a result of which for want of treatment he died.

They alleged that action of the management of dismissing the concerned workman from service on the alleged ground of absence from duty and the action of the

management in not providing employment to his dependant was not only illegal and arbitrary but also it violated the principle of natural justice.

They submitted that the dependant of the deceased worker submitted several representations to the management for providing employment on compassionate ground but such appeal was not adhered to and for which an Industrial Dispute was raised for conciliation which ultimately resulted reference to this Tribunal for adjudication.

Accordingly, the sponsoring union submitted prayer to pass award declaring that termination of Kanhai Rewani from his service was illegal and arbitrary with direction to the management to provide employment to the dependant of the deceased worker Kanhai Rewani with retrospective effect along with all arrears of wages and other consequential reliefs.

3. Management after filing written statement cum rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement.

They submitted that no Industrial dispute can be raised by the sponsoring union on behalf of the deceased worker over his termination of service in the year 1996, who died more than 20 years back. Similarly the sponsoring union can not claim employment of the dependant of the deceased worker after a lapse of more than 20 years on compassionate ground when the said deceased worker was discharged from his service.

They submitted that deceased worker Kanhai Rewani was suffering from advanced stage of T.B. and became medically unfit to perform his duties. As per condition of employment the service of a workman could be terminated if he becomes medically unfit to perform his duties. They disclosed that local management not only arranged for his proper treatment by the colliery Doctors but also placed him at Mahadevi Birla T.B. Sanatorium, Ranchi for his specialised treatment and for such treatment he remained there for more than a year and paid him all benefits of sickness but when it was observed that there was no scope for his case and there was no chance of his future employment they compelled to terminate him from his service as per the conditions of his employment viewing that said termination was legal and bona fide.

They further submitted that providing employment to the dependant is not a right but a discretion of the management to consider each case on its merit subject to availability of vacancy at that particular time and the existing situation in the industry. In the year 1974 there was no provision in Wage Board recommendations which could be implemented. They disclosed that in the instant case son of Late Kanhai Rewani was child and there was no scope for his employment and no compassionate ground exists in the year 1996 when he demanded for his employment.

Accordingly management submitted that based on state demand the sponsoring union is not entitled to get any relief and for which their claim is liable to be rejected.

4. POINT TO BE DECIDED

“Whether the action of the management of Patherdih Coal Washery of M/s. BCCL in terminating the services of Sri Kanhai Rewani, an unskilled workman, with effect from 11-2-74 on the ground of absence from duty; whereas the concerned workman remained under the treatment of Mahadevi Birla T.B. Sanatorium, Ranchi, with effect from 9-3-73 as per Company's Medical Board's recommendations is legal and justified? And whether the action of the management in not providing employment to the dependant of Kanhai Rewani is legal and justified? If not, to what relief the dependant is entitled?”

5. FINDING WITH REASONS

It transpires from the record that sponsoring union with a view to substantiate their claim examined Vijay Rewani son of the deceased worker i.e. Kanhai Rewani as W.W.I. Management also in support of their claim examined one witnesses M.W.I.

Considering the facts disclosed in the pleadings of both sides and also considering evidence of W.W.I there is no dispute to hold that deceased worker Kanhai Rewani was a permanent unskilled worker. It is admitted fact that for a considerable period he was suffering from T.B. and during last phase of his life he was placed at Mahadevi Birla T.B. Sanatorium, Ranchi for his better treatment. The said workman died on 15-3-75 and at that time W.W.I i.e. son of Kanhai Rewani was only six months old. This witness during his evidence disclosed that his father was under treatment at Mahadevi Birla T.B. Sanatorium for about one year and after recovery when he came to his place of work with a view to resume his duty management declaring medically unfit terminated him from his service. Thereafter, widow of the deceased worker submitted application for her employment but that was not considered taking the plea that no female could be employed in the Washery. This witness disclosed that after attaining majority he submitted application for his employment on compassionate ground but that too was rejected by the management.

He alleged that management illegally terminated his father from service taking the ground of medically unfit though he recovered fully from his ailment and in support of his claim he relied on his father's discharge certificate issued by Mahadevi Birla T.B. Sanatorium, Ranchi (Exht.W.I.)

M.W.I on the contrary during his evidence disclosed that the service of the concerned workman was terminated on the ground of his ill health by letter dtd. 6-5-74 (Exht. M. I). He disclosed that at the relevant time there was no provision for providing employment to the dependant of any workman on compassionate ground. He further submitted that no dependant of the deceased workman also submitted any application for employment on compassionate ground. Though he disclosed that fact, during his cross examination admitted that widow of the concerned workman i.e. Kanhai Rewani submitted application for her employment but her said prayer was not considered on the ground that there was contract between

management and the said workman to the effect that no employment would be given to his dependant in case of his removal from service. This witness during his cross examination disclosed that upto 1989 Patherdih Washery was under management of Hindusthan Steel Ltd. and it was taken over by the present management in the year 1983. This witness further admitted that the said workman was removed from his service while he was under treatment at Mahadevi Birla T.B. Sanatorium Ranchi.

From the evidence of M.W.I, therefore, it transpires that Kanhai Rewani was terminated from his service w.e.f. 11-2-74 while he was under treatment at Mahadevi Birla T.B. Sanatorium and his widow submitted application in the year 1975 for her employment on compassionate ground. Further it transpires that at the relevant time management of Patherdih Washery was under control of Hindusthan Steel Ltd. and there was no provision at that time to provide any employment on compassionate ground.

The letter of termination marked as Exht.M. I issued by the management speaks as follows. "The service of Kanhai Rewani U.G.U is hereby terminated w.e.f. 11-2-74 on account of continued absence from duty beyond 18 months on extra-ordinary leave". This letter was issued by Washery Manager of Hindusthan Steel Ltd., Patherdih Washery. Therefore, it goes beyond saying that at the relevant time present management i.e. BCCL was not the owner of the said Washery.

From the letter of termination it transpires that without assigning ground excepting the ground of his absence from duty beyond 18 months on extra-ordinary leave said workman was terminated from his service. It was absolutely within knowledge of the management that he was acute patient of T.B. and was under treatment at Mahadevi Birla T.B. Sanatorium at Ranchi. They had the scope to consider his medical report before issuing such letter but the erstwhile owner did not consider necessary to do so. Concerned workman was discharged from the said Sanatorium on 24-6-74 with advice as follows "The patient is being discharged on his request and written application. In spite of our best possible treatment, he is not showing improvement clinically and radiologically. Since he is positive, careful disposal of sputum is essential."

Therefore, from this advice two aspects have come out :

- (i) That he was discharged from the said Sanatorium on his request and written application. Therefore it is not the fact that Sanatorium Authority discharged him as he was removed from his service.
- (ii) That he did not respond to best possible treatment and for which there was no sign of his improvement either clinically or radiologically.

From the discharge certificate (Exht. W. I) it transpires that said Kanhai Rewani was admitted in the said Sanatorium on 9-3-73. Therefore, it speaks that he was under treatment as indoor patient from 9-3-73 to 24-6-74 i.e. for

more than fifteen months and in spite of his remaining under treatment for such a long period he did not show any sign of his improvement. Therefore this report definitely will speak gravity of his ailment. It can be safely presumed that it was at all possible for a patient of such nature to resume his duty particularly when he was not at all declared fit by the Doctor and when it was cautioned by the Doctor to the effect. "Since he is positive, careful disposal of sputum is essential."

Accordingly the fact which his son i.e. W.W.I disclosed during his evidence finds no basis at all to the effect that "after his recovery he came to place of work with a view to resume his duty but as he declared medically unfit by the management his service was terminated". He was terminated from his service with effect from 11-2-74 by letter issued by the management dt 6/7-3-74 while he was very much admitted in the said Sanatorium.

It has been agitated by the sponsoring union that the management illegally terminated the service of the concerned workman without giving him any opportunity to defend his case and accordingly raised Industrial Dispute 21 years after his death. It is seen that the said workman was discharged from the Sanatorium on his own prayer as he did not respond to his treatment clinically and radiologically. Moreover, he was a positive patient and for which in the discharge certificate Doctor advised careful disposal of his sputum. When his condition is of such serious in nature his presence in the working place would have endangered the health of other workman as he was suffering from serious contagious disease. According to management concerned workman was an extra-ordinary leave for more than one and half years for his treatment but as there was no sign of his recovery they terminated his service. No medical paper is forthcoming before this Tribunal in course of hearing to show that the said workman was recovered from his ailment and declared medically fit to resume his duty. It is admitted fact that he died in the year 1975. Therefore, if his termination was illegal he could have easily raised Industrial dispute challenging his illegal termination from service but he did not do so. After his death his widow submitted representation to the management for her employment but at that time she also had the scope to raise Industrial Dispute challenging illegal termination of service of her husband but she did not consider to do so. Therefore, neither the said workman nor his widow raised any such dispute at that relevant time. Even the widow of that workman did not raise any Industrial Dispute while her prayer for employment on compassionate ground was not considered by the erstwhile owner. Therefore, after a lapse of 21 years the Industrial Dispute which was raised by the sponsoring union suo moto challenging illegal termination of the said workman without assigning any sufficient cause for delay in raising such dispute is to be considered as state dispute. Moreover, if the discharge certificate (Exht. W. I) is considered there is sufficient scope to say that the said workman was not only medically unfit but also he was suffering from such serious disease that if he was allow to join it could have endangered the health of other workmen. Considering all these aspects there is scope to say that termination of the workman Kanhai

Rewani from service by the management can not be said to be illegal and arbitrary violating to the principle of natural justice particularly when it is evident that erstwhile owner stood by the side of the said workman although and allowed him to remain on extraordinary leave beyond 18 months for his better treatment with expectation of his recovery from such serious ailment.

Apart from bringing allegation of illegal termination of the concerned workman by the management by raising Industrial Dispute after a lapse of 21 years of his death the sponsoring union has claimed for employment of his dependent son on compassionate ground.

Considering the materials on record it has been exposed that W.W.I. was only six months old when his father died. It is the contention of the sponsoring union that there was no scope on the part of W.W.I. to submit any such application at that relevant time as he was absolutely minor. There is no dispute to hold that cause of termination of the workman was for his serious ailment being a T.B. Patient i.e. as he was disabled for his serious ailment and there is least chance of recovery management considering his physical unfitness terminated him from his service. As per clause 9.3.1 of N.C.W.A. the management had the scope to provide employment to any of deceased's dependent but that was not done. No Industrial Dispute to that effect was also raised at that time. It is the contention of the management that at that relevant time the provision as laid down in N.C.W.A. was not in operation. However, as a matter of principle no female worker would be deployed in the Washery and for which such prayer for employment to the widow of the deceased worker could not be acceded to.

They submitted that after a lapse of 21 years the claim of W.W.I being the son of the deceased worker could not be taken into consideration in absence of any provision to keep reserve of any vacancy to fill up in future. In support of such claim Ld. Advocate for the Management in course of hearing argument relied on the decision reported in 2005 Supreme Court Cases (L & S) 357 in National Hydroelectric Power Corporation and another Vs. Nanak Chand and another. Their Lordships of the Hon'ble Apex Court observed :

"It is to be seen that the appointment on compassionate ground is not a source of recruitment but merely an exception to the requirement regarding appointments being made on open invitation of application on merits. Basic intention is that on the death of the employee concerned his family is not deprived of the means of livelihood. The object is to enable the family to get over sudden financial crises."

"In Sushma Gosain V. Union of India it was observed that in all claims of appointment on compassionate grounds, there should not be any delay in appointment. The purpose of providing appointment on compassionate ground is to mitigate the hardship due to death of the bread-earner in the family. Such appointments should therefore be provided immediately to redeem the family in distress. The fact that the ward was a minor at the time of death of his father is no ground, unless the scheme itself envisage

specifically otherwise, to state that as and when such minor becomes a major he can be appointed without any time consciousness or limit. The above view was reiterated in Phoolwati v. Union of India and Union of India v. Bhagwan Singh. In Director of Education (Secondary) v. Pushpendra Kumar it was observed that in the matter of compassionate appointment there cannot be insistence for a particular post. Out of purely humanitarian consideration and having regard to the fact that unless some source of livelihood is provided the family would not be able to make both ends meet, provisions are made for giving appointment to one of the dependants of the deceased who may be eligible for appointment. Care has, however, to be taken that provision for ground of compassionate employment which is in the nature of an exception to the general provisions does not unduly interfere with the right of those other persons who are eligible for appointment to seek appointment against the post which would have been available, but for the provision enabling appointment being made on compassionate grounds of the dependant of the deceased employee. As it is in the nature of exception to the general provisions it can not substitute the provision to which it is an exception and thereby nullify the main provision by taking away completely the right conferred by the main provision."

Therefore, if the observation of the Hon'ble Court is taken into consideration there is no scope at all to consider such prayer of the sponsoring union. Moreover, the sponsoring union in placing the claim for compassionate employment of W.W.I i.e. son of the deceased worker has failed to assign any extraordinary reasons based on which there was scope to consider such claim.

Accordingly in view of the facts and circumstances discussed above I hold that the sponsoring union has failed to substantiate their claim and for which they are not entitled to get any relief.

In the result the following award is rendered :

"That the action of the management of Patherdih Coal Washery of M/s BCCL in terminating the services of Sri Kanhai Rewani, an unskilled workman, with effect from 11-2-74 on the ground of absence from duty; when the concerned workman remained under the treatment of Mahadevi Birla T.B. Sanitorium, Ranchi with effect from 9-3-73 as per Company's Medical Board's recommendation is legal and justified. The action of the management in not providing employment to the dependant of Kanhai Rewani also is legal and justified.

Consequently, the dependant is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 489.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण/श्रम न्यायालय, धनबाद, 11 के पंचाट (संदर्भ संख्या 73/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं. एल-20012/369/2000-आई आर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 489.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 73/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad, 11 now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No. L-20012/369/2000-IR(C-1)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD.

Present : SHRI B. BISWAS, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 73 of 2001

Parties: Employers in relation to the management of Kustore Area of M/s BCCL and their workmen.

APPEARANCES

On behalf of the workman : Mr. N.G. Arun,
Ld. Advocate.

On behalf of the employer : Mr. R.N. Ganguly,
Ld. Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 15th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/369/2000 (C-1), dated, the 2nd March, 2001.

SCHEDULE

"Whether the claim of the RCMS that the year of appointment of Shri Bihari Kewat, Winding Engine Operator, East Bhagatdih Colliery of M/s BCCL is 1965 and not 1971 is correct? If so, to what relief/reliefs is the workman entitled?"

2. The case of concerned workman according to written statement submitted by the sponsoring union on behalf in brief is as follows:

The sponsoring union submitted that the concerned workman got his appointment as W.E. Operator in the year

1965. They disclosed that there is variation of date of appointment of the concerned workman recorded in different statutory registers including the Form-B Registers of the management. Disclosing this fact they submitted that as per provision of J.B.C.C.I. Circular '76 it was obligatory duty on the part of the management to place the concerned workman before Apex Medical Board for assessment of his age but inspite of repeated reminders management did not pay any importance to the same and for which they raised an Industrial Dispute before ALC (C), Dhanbad for conciliation which ultimately resulted reference to this Tribunal for adjudication.

Accordingly the sponsoring union on behalf of the concerned workman submitted prayer to pass award directing the management to accept date of birth as well as date of appointment of the concerned workman as recorded in the statutory records of East Bhagatdih Colliery or to send him to Apex Medical Board for assessment of his age.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman.

They submitted that the concerned workman was appointed on 19-10-71 which was clearly been recorded in the Statutory Form-B Register under his LTI. They further submitted that in the year 1987 service excerpt was issued to the concerned workman wherein also his date of appointment was recorded as 19-10-71 with a view to give him an opportunity to submit objection if any regarding any of the entries made therein. They submitted that inspite of receiving the said service excerpt and knowing fully well of his date of appointment recorded therein without raising any sort of objection returned the same to the management putting his LTI therein.

Accordingly they submitted that without having any cogent reason the sponsoring union unnecessarily has raised the Industrial Dispute which is liable to be rejected.

4. POINTS TO BE DECIDED

"Whether the claim of the RCMS that the year of appointment of Shri Bihari Kewat, Winding Engine Operator, East Bhagatdih Colliery of M/s. BCCL is 1965 and not 1971 is correct?

If so, to what relief/reliefs is the workman entitled?"

5. FINDINGS WITH REASONS

It transpires from the record that inspite of giving sufficient opportunity as the sponsoring union failed to take appropriate steps for hearing of this case it was fixed for exparte evidence of the management. Though the instant case was fixed for exparte hearing management also did not consider necessary to adduce any evidence on their part.

Accordingly, to answer the reference suo moto there is no other way but to consider the facts disclosed in the pleadings of both sides.

According to written statement submitted by the sponsoring union concerned workman got his appointment

as W.E.Operator at East Bhagatdih Colliery in 1965. In the written statement he has made two fold prayer. His first prayer is to consider his year of appointment as 1965 and second prayer, is to assess his age through Apex Medical Board. There is no whisper in the order of reference issued by the Ministry about claim of the sponsoring union for assessment of the age of the concerned workman through Apex Medical Board and for which there is no scope to decide this issue as raised by him.

The main point for consideration is whether the concerned workman got his appointment under the management in the year 1965. It is the specific claim of the sponsoring union that the concerned workman joined at East Bhagatdih Colliery as W.E. Operator in the year 1965. However, they admitted that there is variation between the records relating to his date of joining under the management.

On the contrary management in their written statement cum rejoinder specifically mentioned that the concerned workman joined the service of the management on 19-10-71 and that was duly recorded in the Form-B Register and the concerned workman accepted the said date as his joining date by putting his L.T.I. in the said register. Management further submitted that in the year 1987 service excerpt was issued to him wherein his date of joining was specifically recorded as 19-10-71. The said service excerpt was issued to him with a view to seek his views relating to correctness of entries made therein. They submitted that the concerned workman returned back the said service excerpt by putting his L.T.I. without raising any dispute relating to any entry made therein including his date of joining.

Therefore, the point for consideration is whether joining date of the concerned workman was 1965 or 19-10-71. In spite of getting ample opportunity the sponsoring union has failed to produce appointment letter of the concerned workman. This appointment letter could have exposed the veracity of the claim of the concerned workman. The sponsoring union also had the scope to submit wage slip or any sort of document issued by the management showing date of his appointment but that too was not considered by them to file. It has not been denied by the sponsoring union about receipt of the service excerpt by the workman wherein his date of birth was recorded as 19-10-71. No satisfactory explanation is forthcoming why instead of raising immediate objection the same was returned back accepting correctness of date of appointment recorded therein.

The sponsoring union has failed to produce a single scrap of paper to show that his date of appointment was 1965 and not 19-10-71 knowing fully well of the fact that initial burden of proof was on them to justify their claim.

It is to be borne in mind that facts disclosed in the written statement can not be considered as substantive piece of evidence until and unless the same is substantiated by cogent evidence. I find no hesitation to say that in spite of getting ample scope the sponsoring union has misused the opportunity given to that effect. Accordingly based on the facts disclosed in the written statement there is no

scope to uphold the contention of the sponsoring union that date of appointment of the concerned workman was 1965 and not 19-10-71 and for which he is not entitled to get any relief.

In the result the following award is rendered :

"That the claim of the RCMS that the year of appointment of Shri Bihari Kewat, Winding Engine Operator, East Bhagatdih Colliery of M/s. BCCL as 1965 and not 1971 is not justified.

Consequently the concerned workman named above is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 490.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद II के पंचाट (संदर्भ संख्या 102/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-2006 को प्राप्त हुआ था।

[सं० एल-20012/83/2000-आईआर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi the, 9th January, 2006

S.O. 490.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 102/2000) of the Central Government Industrial Tribunal/Labour Court Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-2006.

[No. L-20012/83/2000-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT : Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947

REFERENCE NO. 102 OF 2000

PARTIES:

Employers in relation to the management of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : Mr. N.G. Arun,
Authorised
Representative of the
workman

On the behalf of the employers : Mr. H. Nath, Advocate.

State : Jharkhand

Industry : Coal.

Dated, Dhanbad, the 16th December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/83/2000 (C-1), dated, the 7th September, 2000.

SCHEDULE

“Whether the action of the management of East Katras Colliery of M/s. BCCL in dismissing Sri Rashik Manjhi from the services of the company w.e.f. 18-6-96 is justified? If not, to what relief is the concerned workman entitled?”

2. The case of concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows:—

The sponsoring union submitted that the concerned workman was a Miner/Loader at Lodna Area. They further submitted that owing to his illness he had to remain on treatment under Colliery hospital but as his ailment aggravated he went to his native village for his further treatment. They further alleged that knowing fully well of his ailment management taking revengeful attitude issued a chargesheet to him and thereafter without giving any scope to make his submission further dismissed him from his service. They submitted that the said order of dismissal was illegal, arbitrary and violative to the principle of natural justice. Accordingly after that order of dismissal he submitted representation to the management but to no effect and for which through the sponsoring union he raised industrial dispute for conciliation which ultimately resulted reference to this Tribunal for adjudication

The sponsoring union accordingly submitted prayer to pass award directing the management to reinstate the concerned workman to his service setting aside the said order of dismissal with full back wages and other consequential relief.

3. Management on the contrary after filing written statement-cum-rejoinder have denied all the claims and allegations which the sponsoring union asserted in the written statement submitted on behalf of the concerned workman. They submitted that the concerned workman was a permanent employee of East Katras Colliery as Miner/Loader. As he absented from duty since 23-1-1995 without information or permission from the management, a chargesheet vide letter No. EK/CS/96/89, dt. 4-5-96 was issued to him, as per Certified Standing Order applicable to the employees of the company. The concerned workman after receipt of the chargesheet submitted his reply but as the reply given by him was not satisfactory the Disciplinary Authority initiated domestic enquiry against him and they submitted that the concerned workman fully participated in the said enquiry and full opportunity was given to him to defend his case. After completion of the said enquiry

proceeding the Enquiry Officer submitted his report holding the concerned workman guilty to the charges. The Disciplinary Authority there after considering the enquiry report and also considering other material aspect dismissed the concerned workman from his service. They submitted that in dismissing the concerned workman they did not commit any illegality or took any arbitrary decision violating the principle of natural justice. Accordingly they submitted prayer to pass Award rejecting the claim of the concerned workman.

4. POINTS TO BE DECIDED

“Whether the action of the management of East Katras Colliery of M/s. BCCL in dismissing Sri Rashik Manjhi from the services of the company w.e.f. 18-6-96 is justified? If not, to what relief is the concerned workman entitled?”

5. FINDING WITH REASONS

It transpires from the record that before taking the instant case for hearing on merit it was taken into consideration whether domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. Said issue on preliminary point was decided in favour of the management vide Order No. 14 dt. 14-7-2005 by this Tribunal. Now the point for consideration is whether management have been able to substantiate the charge brought against the concerned workman and if so whether there is any scope to review the order of dismissal passed by the management against the concerned workman under Section 11A of the I.D. Act, 1947.

Considering the evidence of MW-1 and considering the facts disclosed in the pleadings of both sides there is no dispute to hold that the concerned workman was a permanent Miner/Loader at East Katras Colliery. It is the specific allegation of the management that the concerned workman started remaining himself absent from duty w.e.f. 23-1-95 without giving any information or taking prior permission from the management and for which they were compelled to issue chargesheet vide letter No. EK/CS/96/89 dt. 4-5-96 against the concerned workman which was duly received by him. The chargesheet during hearing was marked as Ext. M-2. The concerned workman submitted his reply taking the plea that owing to his illness and for his treatment at his native village he was unable to attend his place of work. Reply given by the concerned workman as was not satisfactory the Disciplinary Authority initiated domestic enquiry against the concerned workman. The reply of the concerned workman is marked as Ext. M-3. The enquiry proceeding papers during evidence of MW-1 were marked as Ext. M-5 series. It is the contention of the management that the concerned workman not only remained present although in course of hearing of domestic enquiry but also the Enquiry Officer gave him full opportunity to defend his case. It has been submitted by MW-1 i.e. Enquiry Officer that the concerned workman also signed day to day papers and his signatures therein are marked as Ext. M-6 series. MW-1 after completing the enquiry submitted his report to the Disciplinary authority which during evidence marked as Ext. M-7. The enquiry Officer in his

report has clearly explained and assigned reason how he came to the conclusion in holding that the concerned workman was found guilty to the charge brought against him. In course of hearing the concerned workman has failed to produce any Medical paper relating to his treatment during the period of his absence. Therefore, the plea taken by him that for his illness he could not attend to his work appears to be not cogent and for which the same cannot be accepted. It is seen that the concerned workman started remaining absent from duty w.e.f. 23-1-95 and chargesheet was issued to him on 4-5-96. Therefore, it is seen that the concerned workman remained himself absent from duty continuously from 23-1-95 to 4-5-96. Therefore, there is ample scope to say that management was justified in issuing chargesheet to the concerned workman. Considering all materials on record I find sufficient reason to hold that management have been able to substantiate the charge brought against the concerned workman.

It is seen that considering the report submitted by the Enquiry Officer the Disciplinary authority dismissed the concerned workman. Letter of dismissal during hearing was marked as Ext. M-9. Now the point for consideration is whether the said order of dismissal issued against the concerned workman by the management was proportionate to the misconduct committed by him and also was justified or not? Section 11A of the I.D. Act, 1947 speaks as follows :—

“Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be is satisfied that the order of discharge or dismissal was not justified, it may, by its award set aside the order of discharge or dismissal and direct reinstatement of the workman on such terms and condition, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.”

Considering materials on record there is no dispute to hold that the concerned workman remained himself absent from duty without giving any information or taking permission from the management with effect from 23-1-96. The chargesheet marked as Ext. M-2 shows that the same was issued to the concerned workman on 4-5-96 with direction to him to submit his reply within 48 hours of receipt of the same. Clause 27.1 of the Certified Standing Order speaks as follows :—

“MINOR PENALTY : Where a workman is charged with a misconduct which may lead to imposition of a minor penalty, he shall be informed in writing of the allegations made against him and shall be given an opportunity to explain his conduct within 48 hours. His explanation, if any shall be considered before imposing a minor penalty by the Disciplinary Authority. Provided, however, that where a workman denies the charges alleged against him, no

punishment shall be imposed upon unless a domestic enquiry has been conducted.”

Clause 29.1 of the Certified Standing Order has pointed out which are the minor penalties viz. (a) Censure. (b) Fine in accordance with the P.W. Act., 1936. (c) Suspension without wages as substantive punishment for not more than ten days at a time. The chargesheet was issued to the concerned workman with direction to submit his reply within 48 hours after its receipt. Therefore intention of the management was to impose minor penalty against the concerned workman. But the Disciplinary Authority violating the directive of clauses 27(1) and 29(1) of the Certified Standing Order dismissed the concerned workman from his service relying on the provision of clause 29(1) (ii). Application of clause 29(1) (ii) comes in if any notice is given to the concerned workman under clause 27(2) of the Certified Standing Order. Until and unless any such chargesheet is issued complying the direction given in Clause 27(2) of the Certified Standing Order there is no scope at all to dismiss a workman service particularly when as per Chargesheet it speaks clearly that the punishment which can be awarded by the management will be only minor penalty and not major penalty. It is fact that the concerned workman remained himself absent from duty for more than one and half years without assigning any reason. Knowing well fully of this fact management instead of issuing chargesheet as per clause 27(2) issued chargesheet complying clause 27(1) of the Certified Standing Order. Therefore, intention of the management was not to dismiss the concerned workman from his service. As there is no provision to issue any order of dismissal based on clause 27(1) of the Certified Standing Order I should say that management dismissed the concerned workman exceeding their jurisdiction which is not justified. Accordingly I should say that the management issued the order of dismissal illegally and for which the same is liable to be set aside. Accordingly order of dismissal issued by the management against the concerned workman is reviewed under Section 11A of the I.D. Act considering the fact that the said order of dismissal passed against him was not justified in accordance with the provision of Certified Standing Order. In the result, the following Award is rendered :—

“The action of the management of East Katras Colliery of M/s. BCCL in dismissing Sri Rashik Manjhi from the services of the company w.e.f. 18-6-96 is not justified.

Order of dismissal issued by the management against the workman named above is declared illegal and hence it is set aside.

Management are directed to reinstate the concerned workman to his service within three months from the date of publication of the Award in the Gazette of India.

Concerned workman however will not get any back wages.”

B. BISWAS, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 491.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद II के पंचाट (संदर्भ संख्या 252/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 6-1-06 को प्राप्त हुआ था ।

[सं. एल-20012/288/2001-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 491.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 252/2001) of the Central Government Industrial Tribunal/Labour Court, Dhanbad II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 6-1-06.

[No. L-20012/288/2001-IR (C-1)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) DHANBAD.

PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act., 1947.

REFERENCE NO. 252 OF 2001

PARTIES: Employers in relation to the management of Govindpur Area No. III of M/s. BCCL

APPEARANCES:

On the behalf of workman : Mr. B. B. Pandey, Advocate.

On the behalf of the : Mr. D.K. Verma, Advocate.
employers

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 22nd December, 2005.

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act., 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/288/2001-IR (C-1), dated, the 18th September, 2001.

SCHEDULE

“Whether the dismissal of Sri Pairu Bhuia from service by the management of Maheshpur Colliery of M/s. BCCL is justified? If not, to what relief is the concerned workman entitled?”

2. The case of the concerned workman according to Written Statement submitted by the sponsoring union on his behalf in brief is as follows :—

The sponsoring union submitted that the concerned workman was a Miner/Loader at Maheshpur Colliery under Govindpur Area in permanent capacity. They submitted that the concerned workman fell ill at his home and for which he could not attend to his duty and in that regard he informed the management. In spite of giving information they submitted that the management issued a chargesheet to him for committing misconduct on the ground of absentism. After recovery from his ailment he came to his place of work with a view to resume his duty but he was not allowed to join there. On the contrary management issued a letter of dismissal against him dt. 30-3-2000. They submitted that management dismissed the concerned workman without holding any departmental enquiry and also without giving him any opportunity to defend his case. Accordingly they submitted prayer to reinstate the concerned workman but to no effect and for which he raised industrial dispute for conciliation which ultimately resulted reference to this Tribunal.

It has been alleged by the sponsoring union that the concerned workman was dismissed from his service illegally and arbitrarily and violating the principle of natural justice and submitted prayer to pass an Award directing the management to reinstate the concerned workman to his service from the date of dismissal with full back wages.

3. Management on the contrary after filing Written Statement-cum-Rejoinder have denied all the claims and allegations which the sponsoring union asserted in the Written Statement submitted on behalf of the concerned workman. They submitted that the concerned workman was appointed on 18-3-91. From 1994 onwards the concerned workman was a habitual absentee. They submitted that during 1994, 1995 and 1996 the concerned workman attended his duties for 115 days, 133 days and 77 days respectively. In order to mend his such habit management issued warning letters to him but to no effect. Thereafter the concerned workman started absenting from duty from 18-2-97 without prior information and taking any permission from the management. As such unauthorised absence amounted to misconduct management issued a charge-sheet against the concerned workman giving him opportunity to submit his reply but the concerned workman did not consider necessary to submit any reply and for which the Disciplinary Authority initiated domestic enquiry against him appointing Enquiry Officer vide Order dt. 14-12-98. Notice of enquiry was also sent to the permanent address of the concerned workman by registered post vide letter dt. 3-4-99. Since no response was received finally notice of enquiry vide letter dt. 25-5-99 was sent to the concerned workman at his home address by Regd. Post. As no response was received from the concerned workman the Enquiry Officer finding no alternative conducted ex parte enquiry against the concerned workman and submitted his report holding him guilty to the charge levelled against him. They submitted that thereafter the Disciplinary Authority issued second show cause notice and supplied report of enquiry dt. 10-2-2000 calling comments of the concerned workman. But the concerned workman did not submit any reply to the second show cause notice. The competent authority finding no alternative

dismissed the concerned workman from the services of the company. They submitted that the management did not commit any illegality and take any arbitrary decision in dismissing the concerned workman from his service.

4. POINTS TO BE DECIDED

“Whether the dismissal of Sri Pairu Bhuia from service by the management of Mahespur Colliery of M/s. BCCL is justified, If not, to what relief is the concerned workman entitled?”

FINDING WITH REASONS

5. Before taking up hearing of the instant case on merit it was taken into consideration whether domestic enquiry held against the concerned workman was fair, proper and in accordance with the principle of natural justice. The said issue on preliminary point was decided by this Tribunal vide Order No. 12 dt. 9-9-2005 in favour of the management. Now the point for consideration is whether management have been able to substantiate the charge brought against the concerned workman and if so whether the order of dismissal issued against the concerned workman was in conformity with the misconduct committed by him, and if that order of dismissal is required to be reviewed under Section 11A of the I.D. Act, 1947.

6. As the sponsoring union admitted the fairness of domestic enquiry held against the concerned workman management did not adduce any evidence on their part, in course of hearing on preliminary point. However, the documents which the management relied on were marked as Ext. M-1 to M-8 on formal proof dispensed with. It is admitted act that the concerned workman was a Miner/Loader at Mahespur Colliery and he got his appointment on 18-3-91. It is the specific allegation of the management that as the concerned workman was in the habit of remaining himself absent from duty on different occasion they issued warning letters to him to mend his habit but they submitted that attempt in that regard went in vein. They submitted that the concerned workman started remaining himself absent from duty w.e.f. 18-2-97 without giving any information or prior permission from the management. Accordingly management issued charge sheet to the concerned workman on 19-7-97 with direction to submit his reply within 48 hours. As the concerned workman did not submit any reply to the chargesheet management initiated domestic enquiry against the concerned workman. The chargesheet during hearing was marked as Ext. M-1. It is admitted fact that the E.O. conducted domestic enquiry against the concerned workman ex parte as the concerned workman in spite of receiving notice fell to appear. Representative of the concerned workman in course hearing did not raise any dispute about the fairness of the enquiry proceeding. This submission on the part of the representative of the concerned workman speaks clearly that the concerned workman was fully aware about the chargesheet and domestic enquiry. Had that not been so the representative of the concerned workman definitely would not accept the fairness of the domestic enquiry which was held ex parte by the Enquiry Officer. It is the specific claim of the concerned workman that for his illness he did not get scope

to attend to his duty during the period in question. After recovery when he came to his place of duty management did not allow him to join. On the contrary they issued letter of dismissal to him. It is the contention of the concerned workman that management illegally and arbitrarily dismissed the concerned workman from his service. It is seen from the chargesheet that management issued the same on 19-7-97. It is admitted fact that the concerned workman started remaining absent unauthorisedly with effect from 18-2-97, i.e., from 18-2-97 till date of issuance of chargesheet on 19-7-97 was found absent. Accordingly burden of proof rests on the sponsoring union as well as of the workman to establish that he was absent during the period in question authorisedly after taking permission from the management. In course of hearing the representative of the concerned workman has failed to produce a single scrap of paper to show that after taking due permission or giving due information to the management the concerned workman went on leave and remained absent during the period from duty as referred to above. It is seen that Enquiry Officer gave sufficient opportunity to the concerned workman to defend his case in course of enquiry proceeding. The concerned workman knowing fully well about the chargesheet and also about the date of enquiry did not consider necessary to appear. Accordingly the enquiry officer conducted domestic enquiry against the concerned workman and submitted his report to the Disciplinary Authority which during hearing was marked as Ext. M-5. The enquiry officer in his enquiry report explained clearly the reason of his arriving into conclusion to hold the concerned workman guilty to the charge. It is seen that the enquiry officer performed all the essential formalities in procuring attendance of the concerned workman. But the concerned workman wilfully avoided to face the hearing of the enquiry proceeding. Submission of the representative of the management which has been discussed above will support definitely this claim. Accordingly after careful consideration of all the facts and circumstances I hold that the management have been able to substantiate the charge against the concerned workman.

It is seen that before issuing order of dismissal management issued a second show cause notice as well as a copy of enquiry report to the concerned workman for his reply by Regd. Post but the concerned workman did not submit any reply to that effect. Accordingly management dismissed the concerned workman from his service. The letter of dismissal during evidence marked as Ext. M-8. Now the point for consideration is whether the said order of dismissal issued against the concerned workman by the management was justified, proportionate to the misconduct committed by him. Section 11A of the I.D. Act, 1947 speaks as follows :—

“Where an industrial dispute relating to the discharge or dismissal of a workman has been referred to a Labour Court, Tribunal or National Tribunal for adjudication and, in the course of the adjudication proceedings, the Labour Court, Tribunal or National Tribunal, as the case may be, is satisfied that the order of discharge or dismissal was not justified, it may by its award, set aside the order of discharge of

dismissal and direct reinstatement of the workman on such terms and conditions, if any, as it thinks fit, or give such other relief to the workman including the award of any lesser punishment in lieu of discharge or dismissal as the circumstances of the case may require.”

Therefore, before reviewing the order of dismissal it is to be considered whether order of dismissal issued against the concerned workman was justified or not? It is seen from the chargesheet marked as Ext. M-2 that the concerned workman was given 48 hours time to submit his reply. According to clause 27(1) of the Certified Standing Order where a workman is charged with a misconduct which may lead to imposition of a minor penalty, he shall be informed in writing of the allegations made against him and shall be given an opportunity to explain his conduct within 48 hours of the Certified Standing Order. As per clause 29 (1) the following penalties come under Minor penalties :—

- (a) Censure,
- (b) Fine in accordance with the P.W. Act, 1936.
- (c) Suspension without wages as substantive punishment for not more than ten days at a time.

Clause 27(2) of the Certified Standing Order speaks as follows:

“Where a workman is charged with a misconduct which may lead to the imposition of a major penalty, he shall be informed in writing of the allegations against him and shall be given an opportunity to explain his conduct within a period of 7 days.”

Clause 29(2) of the Certified Standing Order relates to major penalty. As major penalty is empowered to stop increment, reduction to a lower grade or post or a stage in a time scale or discharge or dismissal from service. It is clear that the management issued chargesheet to the concerned workman and gave him opportunity to submit his reply within 48 hours as per clause 27(1) of the Certified Standing Order. Therefore, it is clear that intention of the management was to impose minor penalty as per clause 27(1) of the Certified Standing Order. Clause 27(1) of the Certified Standing Order does not attract any punishment relating to dismissal of a workman. Therefore, it is clear that management ignoring the provision of the Certified Standing Order dismissed the concerned workman from his service illegally and arbitrarily and violating the principle of natural justice and therefore there is no scope at all to say that the said order of dismissal was justified and proportionate to the misconduct committed by him. In view of the facts and circumstances discussed above I hold that the order of punishment is liable to be set aside. In the result, the following Award is rendered :—

“The dismissal of Sri Pairu Bhuia from service by the Management of Mahespur Colliery of M/s. BCCL is not justified.

Order of dismissal issued by the management against the workman named above is declared illegal and hence it is set aside.

Management are directed to reinstate the concerned workman to his service within three months from the date of publication of the Award in the Gazette of India.

Concerned workman, however, will not get any back wages.”

B. Biswas, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 492.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद, I के पंचाट (संदर्भ संख्या 91/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं. एल-20012/534/2000-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 492.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 91/2001) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-2006.

[No. L-20012/534/2000-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. I) DHANBAD.

In the matter of reference u/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 91 of 2001

Parties: Employers in relation to the management of M/s. B.C.C. Ltd.

AND

Their Workmen

Present : Shri Sarju Prasad, Presiding Officer.

Appearances :

For the Employers : Shri H. Nath, Advocate.

For the Workmen : Shri B.B. Pandey, Advocate.

State : Jharkhand

Industry : Coal.

Dated, the 8th December, 2005.

AWARD

By Order No. L-20012/534/2000 (C-I) dated 29-3-2001 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial

Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. BCCL in dismissing Shri Bictor Kumar Kangari, Miner Loader Huririladih Colliery from service w.e.f. 22-5-99 is legal, justified and proper? If not, to what relief is the workmen entitled?”

2. The case of the sponsoring union is that the concerned workman, Bictor Kumar Kangari was a permanent employee of Huririladih Colliery of M/s. BCCL under Kustore Area and was working as Miner/Loader. He was in sick leave w.e.f. 1-4-98 and was under treatment of Dr. D. V. Singh and for that an information was given to the management on 6-4-1998 and requests were made for leave. The concerned workman after recovery from sickness reported for duty to the colliery management alongwith fitness certificate. But the management did not allow him to resume his duty. On the contrary, a charge-sheet was served upon him which is dated 7-11-98 and ultimately by letter dated 4/22-5-99 he has been dismissed from service. In fact, the allegation against the concerned workman was incorrect and the enquiry was not conducted fairly and properly and was in violation of principles of natural justice. According to the sponsoring union, the punishment of dismissal is ab initio void. The sponsoring union has claimed reinstatement of the concerned workman with full back wages.

3. The case of the management, on the other hand, is that the concerned workman absented from duty w.e.f. 1-4-98 without taking permission from the competent authority and remained absent unauthorisedly from a pretty long time. Therefore, he was issued a chargesheet dated 7-11-98 for unauthorised absence from his duty w.e.f. 1-4-98 under clause 26-1-1 of the Certified Standing Orders of the Company. The concerned workman replied to the chargesheet on 23-11-98 which was found not satisfactory, then it was decided by the management to hold domestic enquiry against the chargesheet. The concerned workman participated in the domestic enquiry. The Enquiry Officer was appointed by the competent authority and during enquiry the concerned workman was given full opportunity to have his co-worker and also to cross-examine the management representative and his witnesses by the Enquiry Officer. The Enquiry Officer conducted the enquiry according to the rules of natural justice and in his enquiry report held that the charge against the concerned workmen was fully established. A copy of the enquiry report was provided to the concerned workman by letter No. 414 dated 17-3-1999 and the concerned workman was advised to submit his comment within 15 days. His comment was not found satisfactory. The Disciplinary Authority keeping in view the gravity of misconduct and his habitual absenteeism dismissed the concerned workman from his service by letter No. 979 dated 22-5-99.

4. The question of fairness of the domestic enquiry was first taken up as preliminary issue and ultimately after recording of the evidence of the management on preliminary issue the Advocate of the concerned workman conceded the fairness and propriety of the domestic enquiry

and accordingly by order dated 26-4-2005 the preliminary enquiry was found to be fair and proper.

5. Since the domestic enquiry has been found to be fair and proper the case has been placed for hearing under Sec. 11-A of the Industrial Disputes Act.

6. The management has brought on record the original chargesheet issued to the concerned workman which is marked Ext. M-1 from which it appears that the allegation against the concerned workman was for remaining absent from duty w.e.f. 1-4-98 without previous permission or sufficient reason. The concerned workman has filed his reply which has been marked Ext. M-2 who has admitted that he was absent from duty w.e.f. 1-4-98. He has maintained that he has been suffering from jaundice therefore he was absent from duty. Ext. M-3 is the notice of enquiry and appointment of the Enquiry Officer. Ext. M-4 is the day to day order-sheet of the enquiry proceeding. The concerned workman has also admitted that he was absent from duty w.e.f. 1-4-1998. He has filed medical certificate dated 28-11-98 during the course of enquiry from which it appears that he was under treatment of Dr. D. V. Singh of Phus Bangla, Bhaga. From the medical certificate produced by the concerned workman it appears that he was absent from duty from 1-4-98 to 28-10-98. The concerned workman has not produced any paper to show that he has informed the management regarding the reason for his absence from duty. The enquiry report submitted by the Enquiry Officer is Ext. M-5 by which it appears that the concerned workman has been found absent for more than 10 days without information. Ext. M-6 is the chargesheet of the management from which it appears that the concerned workman is a habitual absentee. In the year 1995 he has performed only 73 days duty, in the year 1996 only 164 days and in the year 1997 only 80 days and he was absenting from duty right from 1998 to the date of chargesheet dated 23-11-1998. Ext. M-7 is the letter of dismissal. It appears from the chargesheet that the concerned workman was appointed on 7-9-95 and right from the date of appointment he has not completed 240 days service during any calendar year. Therefore he appears to be a habitual absentee from duty. But in the chargesheet there was no mention about his earlier absence nor any enquiry was held for earlier absenteeism. So far the concerned period is concerned it appears that he has produced a certificate that he was suffering from Jaundice and the management has not produced any evidence to show that the medical certificate is a fake one or got up one. Therefore, the concerned workman deserves to be reinstated in service, but without any back wages and continuity of service. The concerned workman must be diligent in future to remain present in duty throughout the year. If the concerned workman is found not to be diligent in doing duty, then the management shall be at liberty to remove him from service. Furthermore, the dismissal from service on the ground of absenteeism appears to be a bit harsh punishment.

7. In the result, I render following award—

The action of the management in dismissing Bictor Kumar Kangari, Miner Loader of Huririladih Colliery from service is not fully justified and he is entitled for

reinstatement into service without back wages and continuity of service. He must be diligent on duty and if his attendance is less than 240 days in a calendar year from the date of his reinstatement the management shall be at liberty to retrench him without any retrenchment benefits. The management is directed to implement the award within 30 days from the date of publication of the award.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 493.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 76/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2006 को प्राप्त हुआ था।

[सं० एल-20012/713/97-आईआर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi the 9th January, 2006

S.O. 493.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 76/1998) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-2006.

[No. L- 20012/713/97-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) DHANBAD

In the matter of reference U/s. 10(1)(d) (2A) of I.D. Act.

Reference No. 76 of 1998

PARTIES: Employers in relation to the management of Bhowra (N) Colliery of M/S. B.C.C. L.

AND

Their Workmen

PRESENT : Shri Sarju Prasad, Presiding Officer.

APPEARANCES:

For the Employers : None.

For the Workmen : None.

State : Jharkhand

Industry : Coal.

Dated, the 21st December, 2005

AWARD

By Order No. L-20012/713/97-IR (C-I) dated 10-9-98 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-section (2A) of Section 10 of the Industrial

Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Bhowra (N) Colliery of M/s. BCCL in dismissing Sri Ganery Bhuia, DCL from services of the company is legal & Justified? If not, to what relief the workmen is entitled?"

2. This reference case is of the year 1998. Inspite of registered notice to the workman two dates have already been expired but no step has been taken even to-day i.e. 21-12-2005. It, therefore, seems that the workman is not interested to contest the case.

3. In such circumstance, I render a 'No Dispute' Award in the present case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 494.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 100/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं० एल-20012/326/98-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi the 9th January, 2006

S.O. 494.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 100/1998) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-06.

[No. L- 20012/326/98-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) DHANBAD

In the matter of reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 100 of 1998

PARTIES: Employers in relation to the management of Chanch Victoria Area No. 12 of B.C.C.L.

AND

Their Workmen

PRESENT : Shri Sarju Prasad,
Presiding Officer.

APPEARANCES:

For the Employers : None.

For the Workmen : None.

State : Jharkhand

Industry : Coal.

Dated, the 21st December, 2005

AWARD

By Order No. L-20012/326/98-IR (C-I) dated 4-6-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Chanch Victoria Area No. 12 of BCCL in not regularising Sh. D.N. Singh, Weigh Bridge Computer Optr. in Clerical Cadre although he is working in Clerical Cadre since 19-7-94 as per approval of the management is justified? If not, to what relief is the workmen entitled to?”

2. This is a case of the Year 1999. Inspite of registered notice two dates have already been expired but neither the concerned workman nor the sponsoring union no step has been taken either side. It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstance, I render a ‘No dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 495.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कान्टीनेन्टल प्रोडक्ट्स, निरसा के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 107/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं. एल-20012/317/97-आई आर (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi the 9th January, 2006

S.O. 495.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 107/1998) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Continental Product, Nirsa and their workman, which was received by the Central Government on 9-1-06.

[No. L-20012/317/97-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) DHANBAD**

In the matter of reference U/s. 10(1) (d) (2A) of I.D. Act.

Reference No. 107 of 1998

Parties: Employers in relation to the management of M/s. Continental Products, Nirsha.

AND

Their Workmen

Present : Shri Sarju Prasad,
Presiding Officer.

Appearances :

For the Employers : None.

For the Workmen : None.

State : Jharkhand

Industry : Continental

Dated. the 21st December, 2005.

AWARD

By Order No. L-20012/317/97-IR (C-I) dated 1-12-98 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of M/s. Continental Products B.O. Road, Nirsha, P.O. Nirsha, Dt. Dhanbad in stopping Md. Suleman Mistry without following due process of law is justified? If not, to what relief the workmen is entitled?”

2. This reference case is of the Year 1998. Inspite of registered notices being sent and two dates have already been expired no step has been taken from the side of the workman. It seems that the workman is not interested to contest his case.

3. In such circumstances, I render a ‘No dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 496.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 108/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं. एल-20012/322/97-आई आर (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi the, 9th January, 2006

S.O. 496.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 108/1998) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-06.

[No. L-20012/322/97-IR (C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 1) DHANBAD**

In the matter of reference U/S. 10(1) (d) (2A) of I.D. Act.

Reference No. 108 of 1998

Parties: Employers in relation to the management of Mohuda Area No. II of M/s B.C.C.L.

AND

Their Workmen

Present : Shri Sarju Prasad,
Presiding Officer.

Appearances :

For the Employers : None.

For the Workmen : None.

State : Jharkhand Industry : Coal

Dated, the 21st December, 2005

AWARD

By Order No. L-20012/322/97-IR (C-I) dated 1-12-98 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of M/s. BCCL in not regularisation of Sh. N.N. Gope as a Clerk is legal and justified? If not, to what relief the concerned workman is entitled to?”

2. This reference case is of the year 1998. In spite of sending registered notice even today (21-12-2005) no step has been taken by the workman. It seems that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstance, I render a ‘No dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 497.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 112/1990) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं० एल-20012/91/89-आई आर (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi the, 9th January, 2006

S.O. 497.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 112/1990) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-06.

[No. L-20012/91/89-IR(C-I)]

S.S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 1) DHANBAD**

In the matter of reference U/S. 10(1) (d) (2A) of the I.D. Act, 1947.

Reference No. 112 of 1990

PARTIES: Employers in relation to the management of Murulidih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT : Shri Sarju Prasad, Presiding Officer.**APPEARANCES :**

For the Employers : Shri D. K. Verma, Advocate.

For the Workmen : Shri B. Lal, Advocate.

State : Jharkhand Industry : Coal

Dated, the 29th December, 2005.

AWARD

By Order No. L-20012(91)/89 I.R. (Coal-I) dated the 8th May, 1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether Shri Bideshi Mistri and 24 others are employees of the management of Murulidih Colliery under Mohuda Area of M/s. Bharat Coking Coal Ltd. and their demand for departmentalisation is justified? If so, to what relief the workmen are entitled to?”

ANNEXURE

Sl. No.	Name of the Workers	Father's Name	Permanent Address	Present Address
(1)	(2)	(3)	(4)	(5)
1.	Shri Bideshi Mistry	S/o Chhotu Mistry	Vill. Chitankhari PO-Snrenda, Dist. Giridih, Bihar	Putki Colliery No. 2, PO-Kusunda Distt. Dhanbad, Bihar
2.	Shri Prasadi Mistry	S/o Manohar Mistr	Vill. Banohi, PO-Nahta, Dt. Rohtas, Bihar	Khaira Colliery, No. 5, PO-Kusunda, Dt. Dhanbad, Bihar
3.	Shri Jagdish Sharma	S/o Dabu Sharma	Vill & P.O. Pandol, Dt. Gaya, Bihar	New Marine Colly. PO-Kusunda, Dt. Dhanbad, Bihar
4.	Shri Ravindra Singh	S/o Basudeo Singh	Vill. Panti, PO-Pachaukhar, Dt. Aurangabad, Bihar	C/o Shri Yugal Kishore Singh, Regional Store, Ekra, PO-Bansjora Dt. Dhanbad, Bihar
5.	Shri Mohan Singh	S/o Kamleshwari Singh	Vill. Tajpur, PO-Tajpur, Dt. Bankura (W.B)	Kathgola Maidan, PO-Kusunda, Dt. Dhanbad, Bihar
6.	Ramadhar yadav	S/o Ganga Yadav	Vill. Jagdishpur, Po-Rajpur, Dt. Johapur (U.P.)	New Marine Colly. PO-Kusunda, Dt. Dhnabad.
7.	Shri Nasseruddin Ansari	S/o Khadim Ansari	Vill. Manjhawli PO-Poldih, Dt. Palamau, Bihar	Gopalichak No. 3, Chanak, PO-Kusunda, Dt. Dhanbad, Bihar
8.	Shri Kedar Singh	S/o Chanderdeep Singh	Vill. Pachpokhari, PO-Mungiaya, Dt. Aurangabad, Bihar	Khaira Punjabi, Ghowra, PO-Kusunda, Dt. Dhanbad, Bihar
9.	Shri Sarju Singh	S/o Chnaderdeep Singh	Vill. Pachpokhari, PO-Mongiaya, Dt. Aurangabad, Bihar	Khaira Punjabi, Dhowra, PO-kendua, Dt. Dhanbad, Bihar
10.	Shri Sikander Singh	S/o Ram Janam Singh	Vill. Pachpokhri, PO-Mongiaya, Dt. Aurangabad, Bihar	Khaira Punjabi, Dhowra, PO-Kusunda, Distt. Dhanbad, Bihar
11.	Shri Kamta Singh	S/o Mandhari Singh	Vill. Parasiya, Rampur, PO-Tandwa, Dt. Aurangabad, Bihar.	Gopalichak No. 2, PO-Kusunda, Dt. Dhanbad, Bihar
12.	Shri Harihar Thakur	S/o Kishun Thakur	Vill. Kala Kujru, PO-Khurd Kujru, Dt. Palamau, Bihar.	Kharia Colliery, PO-Kusunda, Dt. Dhanbad, Bihar
13.	Shri Naresh Thakur	S/o Kishun Thakur	Vill. Kala Kejru, PO-Khurd, Kajru, Dt. Palamau, Bihar.	Kharia Colliery PO-Kusunda, Dt. Dhanbad, Bihar

(1)	(2)	(3)	(4)	(5)
14.	Shri Ram Lakhan Rewani	S/o Mathura Rewani	Vill. Bahera, PO-Poldih Jagdishpur, Dt. Palamau, Bihar.	Kharia Colliery PO-Kusunda, Dt. Dhanbad, Bihar.
15.	Shri Jogmohan Ram	S/o Ram Das Ram	Vill. Dhurua, PO-Poldih, Jagdishpur, Dt. Palamau, Bihar.	Khatrs Colliery, PO-Kusunda, Dt. Dhanbad, Bihar.
16.	Shri Jamuna Mistry	S/o Balkesh Mistry	Vill. Neuribar, PO-Mankeri, Dt. Palamau, Bihar.	Kharia Colliery, PO-Kusunda Dt. Dhanbad, Bihar.
17.	Shri Shambhu Sau	S/o Budhan Sau	Vill. Ghurua, PO-Poldih Jagdishpur, Dt. Palamau, Bihar.	Kharia Colliery, PO-Kusunda, Dt. Dhanbad, Bihar.
18.	Shri Sita Ram Singh	S/o Bindeshwari Singh	Vill. Pandu Bazarpar, PO-Tandwa, Distt. Aurangabad, Bihar	Gopalichak No. 2, PO-Kusunda, Dt. Dhanbad, Bihar
19.	Shri Tara Chand Ram	S/o Ramu Ram	Vill. Sahbajpur, PO-Kasmabad, Dt. Gazipur, (UP)	New Marine Gopalichak, Colliery, Dt. Dhanbad, Bihar.
20.	Shri Lal Bihari Ram	S/o Ganga Mistry	Vill. Sahbajpur, PO-Kasmabad, Dt. Gajipur (UP)	New Marine Gopalichak, Colliery PO-Kusunda, Dt. Dhanbad, Bihar.
21.	Shri Permishwar Sao	S/o Dhuri Sao	Vill. Pindar-Kon, PO-Gauriyarna, Dt. Hazaribagh, Bihar.	New Marine Gopalichak, Colliery, PO-Kusunda, Dt. Dhanbad.
22.	Shri Ram Vilas Mistry	S/o Ramji Mistry	Vill. Pachkhori PO-Mungia, Dt. Aurangabad Bihar	Akra Colliery, PO-Loyabad, Dt. Dhanbad, Bihar
23.	Shri Ram Parashad Vishwakarma	S/O Deolal Vishwakarma	Vill. Behura, PO-Bisambharpur, Dt. Aurangabad, Bihar.	Vill. Madugora, PO-Mohuda, Dt. Dhanbad, Bihar.
24.	Shri Nandlal Vishwakarma	S/o Ram Deo Vishwakarma	Vill. & PO Ambori, Dt. Aurangabad, Bihar.	Vill. Padugoda, PO-Mohuda, Dt. Dhanbad, Bihar.
25.	Shri Chander Shekhar Azad	S/o Faguni Singh	Vill. Gaji Karma, PO-Bishanbherpur, Dt. Aurangabad, Bihar.	Vill. Padugoda, PO-Mohuda, Dt. Dhanbad, Bihar.

2. The case of the sponsoring union is that Bideshi Mistry and 24 others whose names find place in the term of reference are the workers of Murlidih Colliery who have worked for years together in the underground as well as on the surface of the mine from the year 1980 to November, 1983. They were engaged through labour contractor. They worked in Pit No. 20 and 21 of the colliery as Tyndals and Fitters and when they demanded for regularisation they were stopped from duty. According to the sponsoring union, the action of the management of M/s. B.C.C. Ltd., in relation to the management of Murlidih Colliery is unfair labour practice and the concerned workmen should be departmentalised/regularised in the regular employment of M/s. B.C.C. Ltd.

3. The case of the management, on the other hand, is that none of the concerned workmen have worked under the management of Murlidih Colliery and there is no relationship of employer and employees in between the management and the concerned persons, therefore, the reference is bad and the concerned persons are not entitled to any relief. The management has further pleaded that some workers are being assigned to the contractors and it may be that some of the concerned persons might have worked under any such contractor. According to the management the employees of the management are recruited on their names being sponsored by the Employment Exchange, they are given appointment letters, identity cards, wage-slips, bonus cards, provident fund membership etc. As the concerned persons never worked under the management of M/s. B.C.C. Ltd. they could not produce such documents.

4. Although the management has denied the relationship of employers and employees in between the concerned persons and the management of M/s. B.C.C. Ltd., but the management's witness MW-1—J. P. Panda who is Chief General Manager of Washeries Division, has stated that the concerned persons were working as contract labours under one Mahadeo Sharma who was given contract works. But the management has not filed any document to show that the said contractor was a licensee under the Contract Labour (Regulation & Abolition) Act nor the management has filed any paper to show that the management was registered for engagement of contractor under the aforesaid Act. The management has not filed even any tender register nor has filed any work-order given to the alleged contractor, Mahadeo Sharma. The concerned persons, on the other hand, have claimed that they have worked in the said colliery in the underground mine in the work of tyndals, fitters and also electrical helpers and in order to prove that they have worked in the underground mine in Pits 20 & 21 they have filed certain requisition slips signed by the officials of the management. These requisition slips have been marked Ext. W-1 series. From these requisition slips it appears that they were issued cap lamps from time to time and they were deputed to work in the underground mine by the management as contract labours. Further it appears that the cause of the concerned persons was espoused by the sponsoring union by different letters which have been marked Ext. W-2 series. They have also filed a letter of Personnel Manager of the

colliery dated 16/17-10-87, from which it appears that on the demand of the sponsoring union to regularise the workmen working in prohibited category at Pits 20 & 21 of the mine, the Personnel Manager has informed that the records of the colliery are not available. From the reconciliation file also it appears that the sponsoring union has clearly stated that the concerned workmen were working in Pits 20 & 21 of Murlidih Colliery. From the management's witness itself it is clear that the concerned persons were working in the colliery under a contractor, Mahadeo Sharma, but the management has failed to prove that it was a genuine contract. Since the management has failed to prove that the contractor was holding a licence and the establishment of the management was registered under the provisions of Contract Labour (Regulation & Abolition) Act and they have also failed to file any tender register or any documents to prove that a licensee contractor was awarded work, it should be deemed that the contract was simply a camouflage and in fact the concerned persons were working under the supervision of the management as per the direction in the underground mine as well as in the surface of the mine under labour supplier and in order to camouflage the real issue the management has branded them as contract labours.

5. The management's witness has admitted that whoever enter into underground mine his attendance is marked in a register maintained in Form 'C' as per the provisions of Mines Act. Under the Mines Act every mine must maintain a register in Form 'C' for underground and in Form 'D' for the surface of the mine and any person entering into the premises of the colliery his name must be mentioned in either of the two registers. The sponsoring union has called for the attendance register and in spite of the direction by this Tribunal the management has not filed the same nor they have given any explanation for not filing the attendance register. Therefore, in such a situation an adverse inference must be drawn against the management. Had these registers been filed it would have been proved that the concerned persons were working continuously during the years 1980 to 1983 in the underground mine as well as in the surface of the mine. These registers would have shown actual number of days worked by each of the concerned person either in the underground mine or in the surface of the mine, but management has suppressed the same. It further appears that the management initially in its written statement altogether denied that any of the concerned persons had worked in Pits 20 & 21 of Murlidih colliery, but their own witness, J. P. Panda who is an officer of higher rank (Chief General Manager) has admitted that the concerned persons were working, but they were contractor's workers. This admission has shifted onus upon the management to prove that the concerned persons were contractor's worker under a valid contract, which the management has utterly failed.

6. Therefore, on the basis of materials available on record I find that the concerned persons had regularly worked in the underground as well as in the surface of the mine in Pits 20 & 21 of Murlidih Colliery under the guideline and supervision of the officials of the management and they must be taken to be the employees of the management.

Due to suppression of the statutory attendance register in Form 'C' and Form 'D' an adverse inference must be drawn against the management and it must be presumed that the concerned persons have worked for more than 190/240 days in underground/surface of the mine during a calendar year.

Therefore, the action of the management to stop work without complying of Section 25-F of the Industrial Disputes Act is bad in law and the concerned persons deserve to be reinstated in service, but without back wages and they should be departmentalised/regularised as General Mazdoor Category-I with effect from the date of reference i.e. 8-5-1990.

7. In the result, I render following award —

Bideshi Mistry and 24 others whose names find place in the term of reference are the employees of the management of Murlidih Colliery under Mohuda Area of M/s. Bharat Coking Coal Ltd. and their demand for departmentalisation is justified and they are entitled for departmentalisation/regularisation as General Mazdoor Category-I with effect from the date of reference i.e. 8-5-1990, but without any back wages. The management is directed to implement the award within 30 days from the date of publication of the award.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 498. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा०को०को० लि० के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 32/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं० एल-20012/305/93-आई आर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 498.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 32/1999) of the Central Government Industrial Tribunal/Labour Court Dhanbad I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 9-1-06.

[No-L-20012/305/93-IR(C-1)]

S.S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) DHANBAD

In the matter of a reference U/s. 10(1) (d) (2A) of I.D.
Act.

REFERENCE NO. 32 OF 1999

PARTIES: Employers in relation to the management
of Katras Area of M/s. B.C.C.L.

AND

Their Workmen

PRESENT: Shri Sarju Prasad, Presiding Officer

APPEARANCES:

For the Employers : None

For the Workmen : None

State : Jharkhand Industry : Coal

Dated, the 28th December, 2005

AWARD

By Order No. L-20012(305)/93 I.R. (C-I) dated 22-2-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand of union for the protection of wages of Sri Om Prakash Yadav which he was getting wages before his regularisation from piece rated to time rated category and his categorisation as per NCWA-IV of the job actually he was doing is legal and justified? If so, what relief the concerned workman is entitled?”

2. This reference case is of the year 1999. In spite of registered notice being sent and two dates have already been expired no one has appeared on behalf of the concerned workmen to take any step even to-day (28-12-05). It, therefore, appears that neither the concerned workman nor the sponsoring union is interested to contest the case.

3. In such circumstances, I render a ‘No Dispute’ Award in the present reference case.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 9 जनवरी, 2006

का. आ. 499. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय धनबाद I के पंचाट (संदर्भ संख्या 33/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-06 को प्राप्त हुआ था।

[सं० एल-20012/313/98-आई आर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 9th January, 2006

S.O. 499.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 33/1999) of the Central Government Industrial Tribunal/Labour Court Dhanbad - I now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workmen, which was received by the Central Government on 9-1-06.

[No-L-20012/313/98-IR(C-1)]

S.S. GUPTA, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (No. 1) DHANBAD.**

In the matter of reference U/S. 10(1) (d) (2A) of I.D. Act.

Reference No. 33 of 1999

PARTIES: Employers in relation to the management of
Lakhimata Colliery of M/s. E.C. Ltd.**AND**

Their Workmen

PRESENT:

Shri Sarju Prasad, Presiding Officer.

APPEARANCES:

For the Employers : Shri D.K. Verma, Advocate.

For the Workmen : None

State : Jharkhand

Industry : Coal.

Dated, the 28th December, 2005.

AWARD

By Order No. L-20012/313/98 I.R. (C-I) dated 22-2-99 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-sec. (1) and sub-sec. (2A) of Section 10 of the I.D. Act, 1947, referred the following dispute for adjudication to this Tribunal:

“Whether the action of the management of Lakhimata Colliery of M/s. E.C.L. is not referring Smt. Peria Bhuian, T/Loader for Mining Board for her assessment of age is legal and justified? If not, to what relief the workman is entitled to?”

2. This reference case is of the year 1999. In spite of registered notice sent to the sponsoring union two dates have already been expired but no step has been taken by them till date (28-12-2005).

3. In such circumstances it seems that the workman is not interested to contest his case. Accordingly, I render a ‘No Dispute’ Award in the present reference.

SARJU PRASAD, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का. आ. 500.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण पुणे के पंचाट (संदर्भ, सं. आई टी-1/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं. एल-12012/350/2001-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 500.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby publishes the award (Ref. No. IT-1/2004) of the Industrial Tribunal, Pune as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 10-01-2006.

[No. L-12012/350/2001-IR (B-1)]

AJAY KUMAR, Desk Officer

ANNEXURE**BEFORE SHRI S.S. VYAVAHARE, INDUSTRIAL
TRIBUNAL AT PUNE**

Reference (IT) No. 1/2004

BETWEEN:

State Bank of India,
(Constituted under the State Bank of India Act, 1955)
Having perpetual succession &
Common seal), having
Head Office at Mumbai and having
various branches including
‘Gulmohar’, 2420, East Street,

PUNE : 411 001.

(Through the Asstt. General Manager)

..... 1st Party

AND

Shri. Michael Fernandes,
31/6, Kausar Baugh,
Kondhwa Khurd,

PUNE : 411 048.

..... 2nd Party

In the matter of : Reinstatement in service.

Appearances: Shri. D.V. Kulkarni, Advocate for the First Party.

Shri Alvania, Advocate, for the Second Party.

AWARD

1. In exercise of the powers conferred by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 by the Central Govt. has referred the following, to the undersigned for its disposal according to law.

2. On receipt of the reference, notices have been issued to First Party and Second Party. The Claim submitted by Second Party is at Exh. U-8. Whereas the written Statement of the First Party is at Exh. C-6.

3. It is the connection of the Second Party that, he was in the employment of the First Party from 4-8-1981 and he had unblemished service record, till 1994. According to the Second Party, from 1994 he started facing health problem and because of health problems, he was not in a position to attend the duty. However, whenever he had joined his services, he has submitted medical certificate. Having reason to believe about the health problems of Second

Party. on 21-1-99 the Second Party was served with a chargesheet for having committed major and gross misconduct. The Second Party replied the chargesheet but, same was not accepted and the domestic enquiry was initiated against the Second Party. The Enquiry Officer, after concluding the domestic enquiry held Second Party guilty for the misconduct of absentism and gross misconduct. The punishment of dismissal was awarded to the Second Party vide order dated 14-2-2000. The Second Party preferred appeal against the said order to Dy. General Manager, who is appellate authority. The Appellate Authority gave personal hearing to the Second Party and modified the punishment of dismissal into discharge vide para 5 21(5)(b) of Shastri Award. The Second Party challenged it the punishment of discharge as an illegal act on the part of First Party by contending that, the enquiry initiated against him was not fair, proper and as per the principles of natural justice. Secondly, the Enquiry Officer did not consider the medical certificates submitted by Second Party for justifying absence and came to the wrong conclusion that, the Second Party unauthorisedly remained absent. The Second Party further submits that, he was punished under wrong clause of Shastri Award and therefore, the Second Party referred the dispute to the Conciliation Officer. Because of the failure of conciliation proceeding, the Desk Officer submitted the reference to the under signed.

4. The Second Party claims the relief of reinstatement with continuity of service and back wages.

5. The First Party resisted the claim vide written Statement Exhibit C-6 and contended that, claim of the Second Party is false, frivolous and not based on true facts. The First Party challenges the substantiality of reference contending, that, the Central Government has no authority to refer the dispute for adjudication under sec. 10(1)(d) read with sec. 2-A of the Industrial Disputes Act. While admitting, the status of Second Party as an employee of the First Party. The First Party denies that, till 1994 the Second Party has unblemished service record. According to First Party, the Second Party was in habit of remaining absent on duty on one or other ground. Because of the long standing absence, the Second Party has to face loss of pay though all Extra Ordinary Leave of the credit of Second Party were exhausted by him. According to the Second Party, inspite of notice dt. 11-9-98 and other Memos, the Second Party preferred to remain absent and thereby, he has indulged into the misconduct of disturbing smooth functioning of work at the office as well as disobeying the orders of superiors. While justifying the domestic enquiry and chargesheet issued to Second Party, the First Party submits that, the misconduct on the part of Second Party was so serious that, for awarding punishment for first misconduct, the domestic enquiry had, had to be initiated. While justifying the domestic enquiry, the First Party states that, full opportunity was given to the Second Party to participate in the enquiry. Second Party exhausted the said right, by engaging defence representative. Only after giving an opportunity to the Second Party, to participate in the enquiry, and only after the Second Party was held guilty for the misconduct, the punishment of dismissal was

awarded to the Second Party. While justifying, the said punishment, First Party states that, the Second Party remained absent on duty for 545 days which cannot be considered leniently. Even then, while considering the appeal, the Appellate Authority has modified the punishment of dismissal into discharge and thereby, omitted the Second Party to get terminal benefits, if otherwise, Second Party is entitled. According to the First Party, because of the sympathy shown to the Second Party; even repeatedly there cannot be any illegality in the order of discharge. The First Party therefore, prays to reject the claim.

6. On the respective contentions of the parties, I have framed following issues at Exhibit C-4. Issue No. 3 was framed in respect of illegal termination vide order dt. 14-2-2000. Whereas the dispute has been referred by Conciliation Officer in respect of order of discharge dt. 30-5-2000. Therefore, Issue No. 3 in recast.

7. My findings are recorded against the case.

ISSUES	FINDINGS
(1) Whether the domestic enquiry held against the Party No. 2 was fair, proper and as per the principles of natural justice ?	...Yes
(2) If No, whether First Party has proved the misconduct of the Second Party before Enquiry Officer & TribunalDoes not survive.
(3) Does Party No. 2 prove that First Party has illegally discharged him with effect from 14-2-2000 ? (RE-CAST ISSUE) No.
(4) If Yes, whether Party No. 2 is entitled to get reinstatement, continuity of service and back-wages ? No.
(5) What order ? As per final order.

8. Reasons :—

The Second Party does not dispute the fairness of enquiry and to that effect the Second Party has failed pursis Exhibit U-12 admitting that, the domestic enquiry conducted against the Second Party was fair, proper and as per the principles of natural justice. In view of pursis Exhibit U-12, it is not necessary to decide the fairness of enquiry and issue No. 1 can be answered in affirmative.

9. In view of affirmative finding, on Issue No. 1, the First Party need not require to prove the misconduct of Second Party before Enquiry Officer or Tribunal and therefore, issue No. 2 does not survive. I therefore, record my finding on Issue No. 2 to that effect.

10. Issue Nos. 3 and 4 :—

Now, coming to the next important point for discussion is in respect of order of discharge passed by

the First Party dt. 30-5-2000 and its legality. The Second Party does not dispute about his long standing absence mentioned in the chargesheet. It is also not disputed to the Second Party that, after giving Extra Ordinary Leave to the Second Party some portion of his absentee was treated as 'without pay' or 'loss of pay'. The report of Enquiry Officer shows that, the Second Party was habitually remaining absent which resulted into the disturbance of smooth functioning of the First Party. The Enquiry Officer has further considered that, on 4 occasions even the Second Party did not submit leave applications. The chargesheet which is at Exhibit C-9 shows that, in spite of letter dt. 11-9-98 and 29-10-98, the Second Party remained absent on 3 counts for six days, 5 days and six days respectively. The act on the part of Second Party remaining absent inspite of notices dt. 11-9-98 and 29-10-98 is the gross misconduct.

11. In order to show that, the First Party has committed illegality in passing the order of discharge, the Second Party has adduced his evidence on affidavit at Exh. U-13 and has tried to bring on record that, because of ill-health and on medical ground, he could not attend the duty. However, he has submitted applications with medical certificates whenever he has resumed duties.

12. Shri Alvaris, learned Counsel for the Second Party while submitting his written notes of arguments, has submitted before me that, the absence of the Second Party because of ill-health or on medical ground was not properly considered by the Enquiry Officer which resulted into the wrong conclusion of dismissal. In this connection, he had attracted my attention on the enquiry proceeding dt. 28-5-99 and submitted before me that, even the Presiding Officer had confirmed the medical certificate submitted by Second Party on joining his duty after availing the leave; except on one occasion. According to Shri Alvaris, learned Counsel for the Second Party that, inspite of admission on the part of the First party about the submission of medical certificates by the Second Party while joining his duty after availing leave, the finding of Enquiry Officer holding Second Party guilty for absenteeism, is absolutely illegal.

13. Another point that has been stressed by Mr. Alvaris learned Counsel for the Second Party about the mentioning of wrong clause of Shastri Award while inflicting punishment. While taking me to Clause No. 521 sub-clause 5, sub-clause (b) of Shastri Award, it is submitted that, under said sub-clause of 521 there is punishment of warning, censure or adverse remark against the delinquent. According to Mr. Alvaris under sub-clause (b), there is no punishment of discharge. Said punishment is under sub-clause (e) of sub-clause 5 of Clause 521 of Shastri Award. Therefore, he has challenged the punishment of discharge.

14. After giving conscious thought, while coming to the second submission advanced by Shri Alvaris, though it is true that under sub-clause (b) of sub-clause 5 of Clause 521, there is no punishment of discharge and though it is true that the punishment of discharge is under sub-clause (e), to my mind, merely on this two technical ground, the action initiated against the Second Party cannot be doubted. It is significant to note that, sub-clause 5 of

Clause 521 provides punishment of discharge under sub-clause (e) and therefore, it cannot be said that, punishment of discharge is not available against the gross misconduct. It is pertinent to note that, time and again though it has tried to argue on behalf of Second Party that, on every count medical certificates were submitted by the Second Party, the Second Party is not only charged for absenteeism, but, also for the misconduct of wilful insubordination or gross negligence. Therefore, I do not give much importance to the technical mistake about the correct clause of sub-clause 5 of Clause 521 of Shastri Award.

15. Now, coming to the gravity of the misconduct, as earlier I have mentioned that the Second party was not chargesheeted only for absenteeism but, also for the gross misconduct of wilful insubordination, disobedience of lawful order and gross negligence, under sub-clause 4 of Clause 521 of Shastri Award.

16. Even assuming for the sake of arguments, that, the Second Party was submitting medical certificates whenever he was joining the duty after availing leave. The chargesheet shows that, in spite of notices, dt. 11-9-98 and 21-10-98, the Second Party remained absent from 16-11-98 to 21-11-98, 1-12-98 to 5-12-98, 14-12-98 to 19-12-98. Besides that, admittedly, from 6-1-97 to 19-12-98 the Second Party was absent from 364 days out of which 26-12-97 to 27-12-97 and 23-1-98 to 14-2-98 privilege leave on medical ground was granted to the Second Party. It is pertinent to note that, Exhibit U-15 shows Extra Ordinary Leave of 71 days claimed by the Second Party. This document further shows that, even after granting Extra Ordinary Leave, 71 days out of 279 days leave had been treated as 'without pay'. Whereas the remaining absence of Second Party was treated as Extra Ordinary Leave. Now, it is pertinent to note that, in fact, after notice dt. 11-9-98 and 29-10-98 it was obligatory on the part of Second Party either to report on duty immediately or to inform about his absence by justifying medical certificate. Notice dt. 11-9-98 Exh. U-16 shows that, the Second Party was advised to join the duty within 30 days failing to which, he was deemed to have retired compulsorily. In spite of this, the Second Party did not reply promptly. On every count, the Second Party seems to have submitted medical leave after availing the leave while joining the duty. To my mind, the Second Party who is ex-military men, well conversant with the discipline rules, is not even remotely expected to do the things which he did.

17. Another reason which could be considered for considering the genuineness of medical certificate, is the statement of the Second Party before Appellate Authority. The learned defence representative for the Second Party, in order to justify the absenteeism of Second Party, has that, from 1993 onwards the Second Party was edicted to liquor. To my mind, according to the Disiplinary Authority, here the cat has come out of the bat. It is significant to note that, before the Enquiry Officer, to justify the absence, the ground of sickness was only accorded. However, before the Appellate Authority, total contradictory stand was taken by the Second Party and therefore, in my humble opinion, for proving the *bona fides*, the Second Party ought to have examined Medical Officer before the Court.

However, this has not been done. Therefore, considering this aspect, I am of the clear opinion that, the Appellate Authority having reason to believe that, the Second party was edicted to liquor which adversely affected his attendance on duty; has sufficiently showered mercy to him by awarding terminal benefits, if the Second Party is entitled. The result of which, the Second Party has received amount of Gratuity. Considering the lenient view, taken by the First Party, to my mind, no modification in the order of discharge dt. 30-5-2000, under the guise of Sec. 11-A of the I.D. Act is warranted.

18. For the above referred reason, I have no hesitation to conclude that the Second Party has failed to prove that, he was illegally discharged and therefore, he is not entitled to get any relief. I therefore, decide Issue Nos. 3 and 4 in negative and pass the following award.

AWARD

- (1) Reference is answered in negative.
- (2) Parties to bear their cost.

Pune

Dated : 23rd Dec. 2005

S. S. VYAVAHARE, Industrial Tribunal

नई दिल्ली, 9 जनवरी, 2006

का. आ. 501.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण लखनऊ के पंचाट (संदर्भ संख्या 8/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-1-2006 को प्राप्त हुआ था।

[सं. एल-40012/103/2003-आई आर (डीयू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 9th January, 2006

S.O. 501.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 8/2004) of the Central Government Industrial Tribunal/Labour Court, Lucknow now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Deptt. of Post and their workman, which was received by the Central Government on 9-1-2006.

[No. L-40012/103/2003-IR (DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, LUCKNOW

PRESENT :

Shrikant Shukla, Presiding Officer

L.D. No. 8/2004

Ref. No. L-40012/103/2003-IR(DU) dated 31-12-2003

BETWEEN:

Sh. Paramveer Singh,
S/o Sh. Samay Singh,
Vill. & Post Ambuwala, Distt. Hardwar,
(Uttaranchal)

AND

1. The General Post Master
Dehradun
2. The Assistant Supdt. of Post Offices,
Hardwar (Uttaranchal).

AWARD

The Government of India, Ministry of Labour vide their Order No. L-40012/103/2003-IR (DU) dated 31-12-2003 has referred following dispute for adjudication to the Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Lucknow for adjudication:

"Whether the action of the management of Deptt. of Posts in terminating the services of Sh. Paramveer Singh S/o Sh. Samay Singh, EDDA w.e.f. 21-12-2002 is just and legal? If not, to what relief the workman is entitled?"

Worker's case in brief is that worker came to know from some reliable sources that the post of EDDA under opposite party is lying vacant and therefore, he applied for the said post of Asstt. Post Master, Post Office Hardwar. Accordingly, he was employed w.e.f. 1-3-2001. It is further alleged that he worked till 21-12-2002 and on 21-12-2002 he was deprived of his job by verbal order of the opposite parties. It is further alleged that he worked for more than 240 days and in his place another person Manoj Kumar was employed and no notice, notice pay or compensation was awarded to the worker before depriving him of the job. The worker has therefore prayed the court that order dated 21-12-2002 be declared as illegal and should be reinstated with all consequential benefits.

The worker has filed photostat copy of charge certificate dated 1-3-2001 and 21-12-2002 together with application for employment a certificate of employment. Photostat copies of postal receipts addressed to opposite parties dt. 14-2-2004 has been filed.

The opposite party has filed the written statement and disputed the claim of the worker, Param Veer Singh. It is submitted by the opposite party that one Sh. Devi Dayal retired on 30-6-2000. Sh. Devi Dayal was Post Master Subash Garh (Luxor). One Shri Vinod Kumar, regular Rural EDDA was engaged in place of Shri Devi Dayal w.e.f. 1-7-2000. It is further submitted that Shri Vinod Kumar continued to work in place of Devi Dayal till 30-6-2003. To substitute EDDA various persons named as Rajesh Kumar, Dinesh Kumar, Jeet Kumar, Radhey Shayam, Param Veer

Singh, Manoj Kumar worked as stop gap arrangement. On 30-6-2003 the competent authority appointed regular Post Master at Subash Garh (Luxor) and therefore Shri Vinod Kumar, regular EDDA reverted back to his post of EDDA. Thus, besides the worker, Param Veer Singh other 5 persons also worked as substitute in stop gap arrangement. Except Sh. Param Veer Singh no one else raised the dispute. It is further submitted that Param Veer Singh of his own abandoned the service on 20-12-2002 due to his personal inability and accordingly he handed over the charge on 21-12-2002 (FN). Inability shown by Sh. Param Veer Singh was that he has to go to Metro Railway for interview and has to defend case, which is registered against him. Disputant Param Veer Singh was not appointed as such instead he was appointed on 28-2-2001 for one month on the stop gap arrangement. It is also submitted that Sh. Manoj Kumar was engaged as substitute after Sh. Param Veer Singh left the job. It is contended by the opposite party that vacancies are advertised and appointment proceedings take place and person who qualify are appointed by regular order after verification of character and the appointment letter contains the condition of service and accordingly he is bound by the service rules. All the persons engaged as substitute in the place of Vinod Kumar knew well that their services are not regular but post belongs to Vinod Kumar. It is further submitted that Industrial Court has no jurisdiction as this dispute is not industrial dispute.

Worker has filed rejoinder wherein he has reiterated the facts of his statement of claim.

Opposite party has filed following documents along with rejoinder:

1. Photostat copy of charge certificate dtd. 3-1-2001.
2. Photostat copy of charge certificate dtd. 21-12-2002 (not legible).
3. Photostat copy of application of the worker not legible.
4. Photostat copy of certificate issued by Vinod Kumar dtd. 21-12-2002
5. Photostat copy of letter of Asstt. Director General date not legible.
6. Photostat copy of judgment of Hon'ble High Court, Karnataka at Bangalore D.M. Nagesh & others v. Asstt. Supdt., Post Officer & others passed in writ petition 21331-333/2000.
7. Photostat copy of application of Vinod Kumar addressed to Asstt. Supdt. Post Office, dtd. 1-4-2003.
8. Photostat copy of FIR dtd. 12-3-2002.
9. Photostat copy of charge certificate dtd. 21-12-2002, 1-3-2001.

10. Photostat copy of application of Paramveer dtd. 1-3-2001.
11. Photostat copy of judgment of Supreme Court (1998) SLT General Manager Telecom v. Srinivas Rao & others, holding Telecommunication Department of the Union of India as an industry.
12. Photostat copy of gradation list of Gramin Dak Sewak including Vinod Kumar.
13. Photostat copy of claim of Asstt. Post Office Supdt. 21-4-2003 submitted before ALC.
14. Photostate copy of extract of EDA Conduct rules.
15. Photostat copy of application of the worker dtd. Nil.
16. Letter of Sr. Supdt. Post Office dtd. Nil.
17. Of Asstt. Supdt. Post office dtd. Nil.
18. Replication of the worker before ALC dtd. 29-4-2003.

Worker has examined himself. The opposite party has examined Sh. R.C. Rathore, Asstt. Supdt. Post Office & Sh. Vinod Kumar.

Parties have not turned up for arguments therefore perused records and evidence carefully.

Admitted facts from the evidence of parties :

1. There was one Sh. Devidayal who was working as Post Master and on his retirement Sh. Vinod Kumar became the Post Master.
2. Before the worker resuming the charge of EDDA one Sh. Radhey Shyam was engaged on the post of EDDA & worker took charge from Sh. Radhey Shyam.
3. Worker handed over his charge to Manoj Kumar.
4. When worker left the engagement he did not go the post office where he was engaged.
5. A criminal case proceeded for instigating the modesty of a girl against the worker in the court of Civil Judge Junior Division. The case was based on the report of P.S. Pathri. The worker obtained the bails thereafter.

Worker has denied the document 7/36 with application of Paramveer, however, the worker has admitted the charge certificate 7/37 dtd. 1-3-2001.

Worker has stated in the cross examination that he received the appointment letter, but he has not filed any appointment letter in support of his case & thereafter it is presumed that had he produced the appointment letter, it could have adversely affected his case.

Worker knows that one Sh. Devidayal was the Post Master in the post office who retired and on his place

Sh. Vinod Kumar worked. One being questioned as to when Sh. Devidayal retired, worker exhibited his unawareness.

Worker has admitted in his cross-examination that he took charge from Sh. Radhey Shyam, but has not disclosed the period as to how many months or days Radhey Shyam worked.

Sh. Vinod Kumar is a material witness in this case who has filed his affidavit in support of the opposite party and has been cross examined on behalf of worker. Sh. Vinod Kumar has stated in his affidavit that he is working as EDDA in post office Subhash Garh. He has also stated that Sh. Devidayal was the Post Master who retired at the age of 65 years on 30-6-2000 A.N. and he (Sh. Vinod Kumar) worked in his place since 1-7-2000 to 30-6-2003 and in his (Sh. Vinod Kumar's) absence following persons were engaged as substitutes from time to time :

1. Sh. Rajesh Kumar
2. Sh. Dinesh Kumar
3. Sh. Jeet Kumar
4. Sh. Radhey Shyam
5. Sh. Param Veer Singh (the worker)
6. Sh. Manoj Kumar Singh

The engagement of the substitute were approved by Asstt. Supdt. Post Office. Sh. Vinod Kumar has also stated in the affidavit as on 1-7-2003 regular Post Master was posted and accordingly he joined at the original post of EDDA. Sh. Vinod Kumar has also stated in the affidavit that 20-12-2002 Paramveer who was working as substitute at his place told him that his interview is scheduled at Metro Railway, Delhi and he required a certificate of 2 lines so that he could manage the service at Metro Railway and also told him "मेरे गांव में एक लड़की का लफड़ा चल रहा है। इसलिए मुझे थाने व कचहरी के चक्कर काटने पड़ रहे हैं। इसलिए मैं कच्ची नौकरी नहीं कर पा रहा हूँ यदि विश्वास न हो तो थाने की रिपोर्ट आपको दे रहा हूँ। मेरा चार्ज रिपोर्ट के साथ भेज देना मैंने तो पहले ही लिखकर भेज रखा है कि मैं जब चाहूँ यह कच्ची नौकरी छोड़ दूंगा और इसका कोई दावा नहीं करूंगा।"

No question on the above fact has been asked on behalf of the worker to discredit him.

The second witness is Asstt. Supdt. Post Office who filed the affidavit in support of the written statement and has been cross-examined on behalf of the worker. Asstt. Supdt. Post Office has denied that the worker was ever appointed. He has also stated that Sh. Paramveer and 5 others were engaged as substitutes of Sh. Vinod Kumar. He has stated that he gave approval for engagement of Sh. Paramveer for one month only.

Asstt. Supdt.'s note on the paper No. 2/6 filed by the worker himself goes to support the statement of Sh. R.C. Rathore, Asstt. Supdt. Post Master that he accorded approval for the engagement of the worker Paramveer for one month only.

There is no regular appointment letter in favour of the worker that he was a regularly appointed EDDA.

It is proved that Sh. Devidayal, Post Master retired and EDDA Sh. Vinod Kumar officiated in stop gap arrangement till new incumbent is appointed as regular post master. To meet the requirement of EDDA 6 persons (including Paramveer) were engaged as substitutes.

On the careful reading of the copy of FIR it is evident that for an incident dtd. 12-3-2002 452/354/504/506 IPC Criminal case was registered against Paramveer. From reading the entire evidence on the record that the worker Paramveer was compelled to leave the service of substitute EDDA and accordingly he left the job, the opposite party was not instrumental in terminating the worker.

It is noteworthy that the certificate filed by the worker is issued on 20-12-2002 by Sh. Vinod Kumar stating that Paramveer performed the work from 1-3-2001 to 20-12-2002. This goes to show that the worker must have told the circumstances for getting the certificate on 20-12-2002. Sh. Vinod Kumar has stated the reasons for furnishing the certificate and the fact as to why Sh. Paramveer did not want to continue with the job. It was the worker who of his own deserted the job of substitute EDDA, as he knew it is not a lasting job for him.

So far the question as to whether the post office department is an industry or not, I have carefully analysed all aspects of the work carried out by the postal department. It functions in close co-operation of the workers and the management. It has functions to carry letters from one place to another as the courier service. It has additional function to encourage saving by public and as such works as banking industry also. It is irrelevant fact that it is a department of the Government. I therefore, come to the conclusion that the postal department is an industry.

From the discussions above, I come to the conclusion that the worker's claim is false and baseless. He was engaged as substitute EDDA like 5 others, in place of Sh. Vinod Kumar who was officiating as Post Master in the stop gap arrangement. It was Sh. Paramveer himself who left the job as it was not of permanent nature. The opposite party has not terminated him as alleged. Issue accordingly disposed of. Worker is not entitled to any relief.

Lucknow

27-12-2005

SHRIKANT SHUKLA, Presiding Officer.

नई दिल्ली, 10 जनवरी, 2006

का. आ. 502.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नार्दन. कोलफील्ड लिमिटेड के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या

सीजीआईटी/एलसी/आर/198/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं. एल-22012/252/96-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 502.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/198/97) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Northern Coalfields Limited and their workman, which was received by the Central Government on 10-1-2006.

[No. L-22012/252/96-IR (C-II)]

N.P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/198/97

Presiding Officer : Shri C.M. Singh

The Secretary,
Koyla Shramik Sabha (HMS),
Northern Coalfields Ltd.,
Amlohri Project,
Distt. Sidhi (MP)

....Workman/Union

Versus

The General Manager,
Northern Coalfields Ltd.,
Amlohri Project,
Sidhi

....Management

AWARD

Passed on this 16th day of December, 2005

1. The Government of India, Ministry of Labour vide its Notification No. L-22012/252/96-IR (C-II) dated 11/14-7-97 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the management of Amlohari Project of NCL, Singrauli in not promoting Shri P.N. Gupta, Foreman Grade “A” Amlohari Project to the post of Executive 2 and then to Executive 3 even though workmen junior to him have been posted as Executive 2 and Executive 3 is legal and justified? If not, what relief is the workman entitled and from which date?”

2. The case of workman Shri P.N. Gupta in brief is as follows. That he passed his diploma in Electrical Engineering Examination held in November 1978 with 1st Division. The management of NCL gave him appointment by order dated 3-10-79 as Foreman Trainee (Electrical and Mechanical). On completion of training, the workman as well as Shri Y.S. Bhandari and Shri R.K. Upadhyay were regularized as Foreman in the scale of Rs. 640—1160. Shri Y.S. Bhandari and Shri R.K. Upadhyay were junior to workman. On completion of 3 years, as foreman Grade B, he was promoted to the post of foreman incharge (T&S) Grade A. The workman as well as Shri B.B. Singh and Shri Y.S. Bhandari were called for test/interview for the post of Foreman incharge by letter dated 25-9-85. The workman and other juniors were gain called for interview for promotion to the post of foreman incharge vide letter dated 19-2-87. By order dated 26-9-87, juniors to workman were promoted as foreman incharge (E&M) but this relief was denied to the workman without any justification. The workman was never called for interview after 1987. When the workman repeatedly protested, he was given promotion to T&S Grade A from 22-10-90. In accordance with circular issued by NCL, Singrauli in the year 1986 since the promotion was based on DPC of 85 or 87, the promotion has to be made from 85 or 87 and it cannot be made from 1990. An examination was held for promotion from Non-Executive to Executive on 30-12-92. The qualification for this was 7 years total service including 3 years service in the Grade of T&S Grade A Foreman Incharge. The workman was not promoted in the examination on the alleged ground that he had not completed 3 years service in the grade of TS Grade A. Infact due to the deliberate refusal of the management to give promotion from 1987 the workman was denied the opportunity. As per rules and regulations, the workman is required to be given promotion from 1985 or in any case from 1987 when the interview and DPC were held. The requirement of passing examination has to be ignored in the case of the workman because it was due to the mistake of the management. The juniors to workman were promoted to E-2 grade by order dated 10-8-90 and 26-12-91. Juniors to the workman were subsequently promoted to E-3 Grade by order dated 20-11-93, 2-9-94 and 4-7-95. The workman is entitled to similar treatment and he is entitled to be promoted to E-2 & E-3 grade from the date of promotion of his juniors. The workman is, therefore, entitled to promotion E-2 from 10-8-90 and E-3 grade from 20-11-93 or 2-9-94 with all consequential benefits.

3. The management contested the reference and filed their Written Statement broadly denying the case set up by the workman. The case of the management in brief is as follows : That the workman was appointed as foreman (Tr.) and joined duty on 12-11-79. He was regularized as foreman (E & M) w.e.f. 11-11-81 on completion of 2 years training period with the condition that he will draw increment in Foreman's scale up to the stage of Rs. 745 (NCWA-II) only,

beyond which he will be entitled to draw increment on obtaining/producing the Electrical Supervisory Certificate of Competency valid for mines. That the workman was asked several times for obtaining/producing the Electrical Supervisory Certificate of Competency but he did not submit the said certificate till date. The management considered his case for further promotion to the post of foreman incharge on 20-1-1988, but he failed in interview, hence the DPC did not recommend his name for promotion. That taking a lenient view, his case was again considered for promotion to the post of foreman incharge and the DPC had recommended him for promotion. Accordingly he was promoted to the post of foreman incharge Grade A w.e.f. 22-10-90. The workman even after receiving repeated letters dated 20-4-85, 17-8-95, 21-5-96 and 16-8-2001 for producing Electrical Supervisory Certificate of Competency, he did not produce the same. The Electrical Supervisory Certificate of Competency is a statutory requirement for the Foreman (Electricals) for their working in mines. The selection test was conducted for promotion from Non-Executive to Executive cadre in December, 1992 and all eligible candidates were allowed to appear in the said test. That eligibility for appearing in the said test is counted as on 31st March of the previous year. Since the workman had not completed 3 years of service in T & S Grade-A on 31st March 1992, he could not be allowed to appear in the said test. That the CIL management has again conducted a selection test on 17-1-99 for promotion to the executive cadre. The workman was allowed to appear in the said test but the workman along with other candidates boycotted the said test and thereafter no test has been conducted so far. That the workman cannot claim promotion to the Executive Cadre as a matter of right because the promotion to the Executive cadre is based on eligibility criteria subject to availability of vacancy. As the workman had not fulfilled the prescribed criteria in December, 1992, he could not be allowed to appear in the said test, hence his claim is totally misconceived and liable to be rejected with cost.

4. After having submitted his statement of claim, the workman absented himself from attending the proceedings in this tribunal on various dates and therefore again a notice was issued to him by registered AD post for filing rejoinder and documents. But inspite of sufficient service of notice on him, he failed to put in appearance and therefore on 28-3-05, the reference proceeded ex parte against the workman.

5. The management filed affidavit of Shri Prit Pal Singh, the then working as Dy. Personal Manager in NCL, Amlori project for proving their case.

6. I have heard Shri A.K. Shashidharan, Advocate the learned counsel for the management. I have very carefully gone through the entire evidence on record.

7. The case of the management is fully proved from the uncontroverted and unrebutted affidavit of management's witness Shri Prit Pal Singh.

8. The reference is therefore, answered in favour of the management and against the workman by holding that the action of the management of Amlohari Project of NCL Singrauli in not promoting Shri P.N. Gupta, Foreman Grade "A" Amlohari project to the post of Executive 2 and then to Executive 3 even though workmen junior to him have been posted as Executive 2 and Executive 3 is legal and justified and consequently the workman is not entitled to any relief.

9. The parties shall bear their own cost of this reference.

10. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का.आ. 503.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.पी.डब्ल्यू. डी. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं.-2, नई दिल्ली के पंचाट (संदर्भ संख्या 139/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं. एल-42012/287/03-आई आर (सी-II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 503.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 139/2004) of the Central Government Industrial Tribunal-cum-Labour Court, No. 2, New Delhi, as shown in the Annexure in the Industrial Dispute between the management of Central Public Works Department, and their workman, received by the Central Government on 10-1-2006.

[No. L-42012/287/03-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM- LABOUR COURT II, NEW DELHI

Presiding Officer : R. N. Rai

I.D. No. 139/2004

IN THE MATTER OF:

Shri Ashutosh Kumar,
C/o CPWD Karamchari Union,
Plot No. 1, Aram Bagh Near Udasin Mandir,
Paharganj, New Delhi-55.

Versus

The Director General of Works,
Central Public Works Department,
Nirman Bhawan,
New Delhi.-11

AWARD

The Ministry of Labour by its letter No. L-42012/287/2003-IR (CM-II) CENTRAL GOVERNMENT DT. 17-08-2004 has referred the following point for adjudication.

The point runs as hereunder :—

“Whether the contract between the management of CPWD, and their contractor is sham and the demand of CPWD Karamchari Union for absorption/regularization of S/Shri Ashutosh Kumar, Satya Prakash and Tejpal (Contract Labour) with the management of CPWD is legal and justified? If yes, to what relief they are entitled.”

The Union has filed claim statement on behalf of the workmen. In the claim statement it is stated that the workman no. 1 was initially inducted in the year 1997 and the workman no. 2 was inducted in the year 1998 as Generator Operator through the private contractor, Management no. 2 for discharging the job of operating for the principal employer, management no. 1. It is stated that ever since their appointment they have been discharging their job diligently and sincerely for the management of CPWD having been posted at Electrical Division No. 1, Nirman Bhawan, New Delhi-1 under the Executive Engineer, Electrical i.e. management no. 2.

That the nature of job discharged by both the workmen are perennial and permanent in nature and the job satisfy all the ingredients contained in section 10 of the Contract Labour (Regulation and Abolition) Act, 1970 work suiting abolition of contract labour in the said job. It is stated that the contract awarded by CPWD in favour of contractor for carrying out perennial nature of job is bad in law and the contract itself is vague which ought to be lifted in industrial adjudication.

That the workmen are placed under the direct control and supervision of principal employer and the contractor has no role to play in day to day affairs of working of the workman. It is stated that the nature of job performed by

the workmen are similar to the workmen posted on regular basis and they work as it under the principal employer.

That each of the workmen has completed 240 days in each year of working, regarding the establishment of principal employer to regularize them in the principal employer. That the workmen through the union send a demand notice to the management requesting therein for their regularize/absorption in the establishment of the CPWD since their respective date of appointment through contractor with consequential benefits but the management has neither replied nor complied with the said notice.

It transpires from perusal of the order sheet that the management has not been turning up from 16-05-2005. Notice has been sent on 16-07-2005. Adjournment application was moved on 31-01-2005 and 30-09-2004. Notice has also been sent on 25-05-2004. The management sought adjournment on 14-03-2005 as such notice has been sent twice and the management has appeared. The workmen have filed affidavit and documents. The case proceeded ex-parte.

It transpires from perusal of the documents filed by the workmen applicants that Gate Passes to them were issued by the management. The attendance of the workmen has also been taken by the management. They have filed photocopy of the attendance register. It is supported by their affidavit. The workmen applicants have filed attendance register of Log Book of Generator Set. The workmen have filed Gate Passes issued by the management directly to them and they have filed photocopy of attendance register maintained for running the Generators so the workmen have completed 240 days work in each year of their working. This fact is proved by the affidavits filed by the workmen and documents filed by them. The workmen have proved their case. The management has not filed even a scrap of paper despite knowledge and despite appearance. The workmen have also proved that they have not been working under any contractor and if there was any contract that was sham and the workmen should be deemed to be the employees of the management of CPWD. Contract Labour cannot be employed for perennial nature of work.

The reference is replied thus :—

The contract between the management of CPWD and their contractor is sham and the demand of CPWD Karamchari Union for absorption/regularization of S/Shri Ashutosh Kumar, Satya Prakash and Shri Tejpal (Contract labour) with the management of CPWD is legal and justified. The management is directed to absorb the workmen within two months from the date of publication of the award.

Award is given accordingly.

Dated : 29-12-2005

R. N. RAI, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का. आ. 504.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वैस्टर्न कोलफील्ड्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर के पंचाट (संदर्भ संख्या CGIT/LC/R/123/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं० एल- 22012/185/01-आईआर(सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi the, 10th January, 2006

S.O. 504.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/123/2002) of the Central Government Industrial Tribunal-cum-Labour Court Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Nandan Washery of WCL, and their workman, received by the Central Government on 10-1-2006.

[No. L- 22012/185/01-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

No. CGIT/LC/R/123/2002

PRESENT:

Shri C. M. SINGH, Presiding Officer

The General Secretary,
B. K. K. M. S (BMS),
P. O. Parasia,
Chhindwara

Workman/Union

Versus

The General Manager,
Nandan Washery of WCL,
P. O. Damua, Chhindwara

Management

AWARD

Passed on this 8th day of December, 2005

1. The Govt. of India, Ministry of Labour, vide its Notification No. L-22012/185/2001-IR (CM-II) dated 29-8-02 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the General Manager, Nandan Washery of WCL, PO Damua, Distt. Chhindwara (MP) in not regularising Smt. Shanti Bai as Lab. Helper w.e.f. 21-12-97 is legal and justified? If not, what relief she is entitled to?”

2. After the reference order was received, it was duly registered on 9-9-2002 and notices were issued to the parties to file their respective statements of claim. In this case in spite of sufficient service of notice on the workman/Union, no one put in appearance for Union/workman. No statement of claim has been filed on behalf of Union/workman. The

management moved an application dated 29-7-05 with the prayer to pass award in terms of settlement (Annexure M/1) and the order (Annexure M/2). Both these annexures are attached with the aforesaid application. Thereafter the management filed original settlement dated 28-1-04 (M/1) and original office order dated 30-31-1-2004 (M/2). The original settlement deed on record reveals that the settlement has been arrived at between the applicant Smt. Shantibai and the management. The signature of Smt. Shantibai on this original settlement deed has been identified by Shri A. Majumdar, Sr. Personal Officer of the management who made an endorsement to the effect that Smt. Shantibai made her signature on the settlement deed in his presence.

3. The above settlement deed reveals that the dispute has been settled between the parties on the following terms and conditions:—

- i. It is agreed by the Management that Smt. Shantibai, W/o Late Khemchand, Cat. I who is working in Canteen, is to be regularized as Canteen Vendor, Cat. II w.e.f. 1-1-2002.
- ii. It is full and final settlement in case of Smt. Shantibai, W/o Late Khemchand, regarding regularization.
- iii. It is also agreed by the Union and the employee concerned that they shall withdraw the Industrial Dispute Case referred to the CGIT and neither the employee nor the Union will raise any more dispute in future, in any Forum.
- iv. The Union will also not quote this as a precedent in any other case.
- v. This form “H” settlement supercedes the earlier form “H” settlement, as described in Short recital of the case.
- vi. Financial benefit, if any arises, will be given w.e.f. 1-1-2004 only.

4. The above terms and conditions appear to be just and proper and under the circumstances, it shall be in the interest of justice to pass award in terms of settlement arrived at between the parties.

5. The award is, therefore, passed in terms of settlement without any order as to costs.

6. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का. आ. 505.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 36/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं० एल- 22012/183/04-आईआर(सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi the, 10th January, 2006

S.O. 505—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 36/2005) of the Central Government Industrial Tribunal-cum-Labour Court Chennai as shown in the Annexure, in the Industrial Dispute between the management of Food Corporation of India and their workmen, which was received by the Central Government on 10-1-2006.

[No. L- 22012/183/04-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM- LABOUR COURT, CHENNAI

Wednesday, the 15th June, 2005

PRESENT: K. JAYARAMAN,
Presiding Officer

Industrial Dispute No. 36/2005

(In the matter of the dispute for adjudication under clause (d) of sub-section (I) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Food Corporation of India and their workmen.)

BETWEEN

The General Secretary, : I Party/ Claimant
The Transport & Dock
Workers Union,
Chennai.
AND

The Zonal Manager, : II Party/ Management
Food Corporation of India,
Chennai

APPEARANCE:

For the Claimant : Mr. D. Purushothaman,
Authorised Representative

For the Management : Mr. Imthias, Advocate

AWARD

The Central Government, Ministry of Labour vide order No. L-22012/183/2004-IR (CM-II) dated 30-03-2005 has referred this industrial dispute to this Tribunal for adjudication. The Schedule mentioned in that order is—

“Whether the action of the Management of Food Corporation of India in refusing to pay PLR for the year 2001-02 in respect of the employees of Food Corporation of India engaged in port operation is legal and justified? If not, to what relief they are entitled?”

2. After the receipt of the reference, it was taken on file as I.D. No. 36/2005 and notices were issued to both the parties and the I Party entered appearance through their authorised representative and the II Party/Management

entered appearance through their advocate and filed their Claim Statement and Counter Statement respectively.

3. When the matter is taken up for enquiry today, the authorised representative for the I Party/Claimant files a memo stating that the matter has been settled between the parties and hence, he is not pressing this Industrial dispute.

4. Memo is recorded. As such, this industrial dispute is dismissed as not pressed. No Costs.

5. The reference is disposed of accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 15th June, 2005.)

K. JAYARAMAN, Presiding Officer

Witnesses Examined:—

On either side : None

Documents Marked:—

On either side : Nil

नई दिल्ली, 10 जनवरी, 2006

का. आ. 506.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या CGIT/LC/R/107/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं० एल- 22012/243/04-आईआर(सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 506.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/107/2004) of the Central Government Industrial Tribunal-cum-Labour Court Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Burhar Sub Area of SECL, and their workmen, which was received by the Central Government on 10-1-2006.

[No. L- 22012/243/04-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/107/04

PRESENT:

Presiding Officer: Shri C. M. SINGH,

The Secretary,
Janta Mozdoor Sangh (HMS),
At/PO Dhanpuri,
Shahdol

... Workman/Union

Versus

The Sub Area Manager,
Burhar Sub Area of SECL,
P. O. Dhanpuri,
Shahdol

...Management

AWARD

Passed on this 15th day of December-2005

1. The Govt. of India, Ministry of Labour, *vide* its Notification No. L-22012/243/2004-IR (CM-II) dated 13-10-04 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Sub Area Manager, Burhar Sub Area of the South Eastern Coalfields Limited, PO: Dhanpuri, Distt. Shahdol (MP) in not allowing Shri Dineshwar S/o Shri Vinayak for duty is legal and justified? If not, to what relief the workman is entitled?”

2. In spite of sufficient service of notice, the workman Dineshwar failed to put in appearance before this tribunal and also failed to file his statement of claim. Therefore the reference *vide* order dated 28-3-2005 proceeded *ex parte* against the workman.

3. The case of the management in brief is as follows : that the workman has filed Writ Petition No. 1896/02 in the High Court of judicature at Bilaspur (CG) and *inter alia* sought the following reliefs :

- i. That the Honourable Court be pleased to hold the action of the respondents in not allowing the petitioner to join duty as illegal. &
- ii. That the Honourable Court be further pleased to direct the respondents to allow the petitioner to join duty with consequential benefits.

The workman has already chosen the forum of Honourable High Court by filing the above writ petition. Therefore the present dispute is not maintainable for the same relief.

4. The workman was selected to the post of casual piece rated loader. He was advised *vide* letter dated 05-01-1989 to submit his particulars for the purpose of his appointment. Consequently he was issued with an order of appointment No. 59 dated 27-2-89 appointing him as casual Badli piece rated loader. The workman was habitual absentee. He remained absent from duty on several occasions against which he was issued with warning letters, chargesheets etc. However he did not show any improvement in his performance and conduct. He was unauthorisely absenting from duty without any intimation, permission and sanctioned leave from 01-04-91 to 02-08-1991. Therefore he was issued the chargesheet No. 1544 dated 02-8-1991. The workman replied to the said chargesheet. As reply was not found satisfactory, it was decided to conduct a departmental enquiry. Accordingly *vide* order No. 426 dated 13-3-92 Shri K.C. John, the then Sr. Executive Engineer (E&M) Subhash Mines was appointed as Enquiry Officer and Shri S.N. Singh, Establishment incharge was appointed as management

representative. In the month of April 1991, the management received a complaint from one Dineshwar Bharati, S/o Vinayak Bharati belonging to Kavinagar, Gaziabad that the complainant is the real/actual candidate as Dineshwar S/o Vinayak and the workman who is presently working in Subhash U/G Mines, namely Dineshwar Giri is not a real/actual candidate. On receiving this complaint, the workman was issued a letter No. 0327 dated 26-2-92 advising him to meet the Dy. Personal Manager, Burhar Sub Area for verification of records. However the workman did not turn up the office of the Dy. Personal Manager for verification of records and he was absconding since then without any intimation to the management. The workman came to know about the complaint of impersonation made against him. On that day onwards, the workman was absconding. His whereabouts were not known to anybody. The letter issued at his address as declared by him and recorded in his form “B” Register has not been served on him and returned to the management with the remarks “addressee is not residing on the given address”. As the workman has absconding and abandoned his service, there was no need to proceed with departmental proceedings. Hence the disciplinary proceeding was withdrawn against him. Under the circumstances mentioned above, the workman is not entitled to any relief of reinstatement in service or any monetary benefits whatsoever. Consequently the order of reference is liable to be answered in favour of the management.

5. The Management filed affidavit of Shri M.L. Prajapat, Sub Area Manager Burhar Sub Area of SECL, Sohapur Area in support of their case.

6. I have heard Shri A. K. Shashi, Advocate the learned counsel for the management. I have very carefully gone through the entire evidence on record. The case of the management is fully established from the affidavit of Shri M.L. Prajapat, the management's witness as the said affidavit has remained unrebutted and uncontroverted.

7. In view of the above, the reference order is answered in favour of the management and against the workman holding that the action of the Sub Area Manager, Burhar Sub Area of SECL, PO Dhanpuri, Distt. Shahdol (MP) in not allowing Shri Dineshwar, S/o Shri Vinayak from duty is legal and justified and consequently the workman is not entitled to any relief.

8. The parties shall bear their own cost of this reference.

9. Copy of the award be sent to the Govt. of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का. आ. 507. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबंध निर्यातों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक

अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या CGIT/LC/R/38/02) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं० एल- 22012/109/01-आई आर(सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 507.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/38/02) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure in the Industrial Dispute between the management of Amlai and Chachai Sub Area of SECL, and their workmen, which was received by the Central Government on 10-1-2006.

[No-L-22012/109/01-IR (CM-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/38/02

Presiding Officer : Shri C. M. SINGH

The Secretary,
M.P.K.M.S. (HMS), Branch Amlai O.C.M.
Distt. Shahdol (MP) ... Workman/Union

Versus

The Sub Area Manager,
Amlai O.C.M. of SECL, PO Amlai,
Distt. Shahdol (MP)
Shahdol ... Management

AWARD

Passed on this 16th day of December, 2005

1. The Govt. of India, Ministry of Labour, *vide* its Notification No. L-22012/109/2001-IR (CM-II) dated 21-2-02 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Sub Area Manager, Amlai O.C.M. of SECL, PO Amlai, Distt. Shahdol (MP) in cancelling the promotion of Shri Jora Singh, Dozer Operator Group B to Dozer Operator Group A is legal & Justified? If not, to what relief he is entitled to?”

2. The case of the workman Shri Jora Singh in brief is as follows. That he is an employee of the management of SECL Sub Area, Amlai, Distt. Shahdol. He is working as a Dozer Operator. He was promoted *vide* order dated 6-2-99 from Group B-II Dozer Operator Group A. The said order was passed as per recommendations of Departmental Promotional Committee. Thereafter by order dated 31-8-99, his order of promotion was cancelled. That the stand of the management is that the workman has no experience of 3

years to drive the dozer of 385/410 HP and he was promoted from Grade C to Grade B w.e.f. 1-7-95. The Dozer No. 355 was surveyed off from December 1996 therefore the workman could not get the minimum experience of 3 years and he was not eligible for promotion. That he has experience of 3 years to handle and drive the Dozer No. 083 having capacity of 410 HP and therefore it cannot be said that the workman was not eligible for promotion. That one co-employee named S.C. Swagri was promoted from Group-B to Group-A by order No. 386 dated 17-4-95 despite the Dozer having capacity of 410 HP was not available. Looking to this fact, the act of the employer is discriminatory and deserves to be set aside. That the order of promotion was passed after considering the record and recommendations of Departmental Promotion Committee but the order of cancellation has not been passed after consultation of the DPC. The fact of experience has been considered by the DPC therefore, the order deserves to be set aside. That in the replay before conciliation officer, the promotion of S.C. Swagri has not been denied but no proper clarification has been given. That before passing the order of cancellation of promotion, the workman was not given any opportunity of hearing and therefore the order has been passed in violation of principle of natural justice and the same deserves to be quashed.

3. The management contested the reference and filed their Written statement broadly denying the case set-up by the workman. Their case in brief is as follows. The workman was promoted from the post of Dozer Operator (Excavation) Group “B” to Dozer Operator (Excavation) Group “A” by oversight/mistake. When this mistake was detected, the same was rectified by order No. 883 dated 31-8-03 cancelling the office order issued by mistake. It is not the case of demotion of the workman but rectification of mistake. The workman was not fulfilling the laid down eligibility criteria as per cadre scheme. The workman was promoted from Group “C” to Group “B” w.e.f. 1-7-95 and as such he could have completed 3 years only on 1-7-1998. Although the eligibility criteria stipulated 3 years experience in handling and operation of Dozer not less than 385 HP/410 HP class the promotion is to be effected on the basis of actual performance and availability of sanctioned vacancy. That in this area there was only a dozer No. D-355 which was quite old and hence surveyed off on 28-12-96. Since the said dozer was lying ideal due to breakage much before survey off and the workman was promoted to Group “B” only on 1-7-95, at any stretch of imagination, it is unbelievable for even a lay man that the workman could have completed 3 years. As such the workman Shri Jora Singh could not have been promoted against the provisions of Cadre Scheme which necessitated cancellation of the promotion order. Shri S.C. Swagri with whom the workman compares himself is very senior. He was promoted to Grade “B” on 1-6-87 and before his being promoted to Group-A, he had acquired more than requisite experience in operating 385 HP/410 HP capacity dozer and the case of Shri Swagri is not comparable with the workman. The DPC constituted by Competent Authority to evaluate and submit a report of eligible candidates for promotion. Such recommendations are subject to approval by the Competent Authority. Once

they submit the report, they become functus officio and there is no reason to revert to them. Once it is found that an explicit error has occurred, it is duty of the competent authority to rectify it. That the workman has miserably failed to set up a good case against the management. He was not eligible to get promotion in Group "A" due to lack of requisite eligibility. That he is trying to encash the benefit of an error/mistake committed by the management for which he is otherwise not eligible. It has been prayed by the management that the claim of the workman may be rejected and the reference be answered in favour of the management.

4. After having submitted statement of claim, the workman absented himself from attending the proceedings on several dates fixed. Therefore again notice was issued to the workman by registered AD post for filing rejoinder and documents. But inspite of sufficient service of notice on him, the workman failed to put in appearance and therefore vide order dated 25-4-05, the reference proceeded *ex parte* against him.

5. The management filed affidavit of Shri I.N. Sasikiran, the then Sr. Personal Manager, Sharda OCM, SECL, Sohagpur Area in support of his case.

6. I have heard Shri A.K. Shashi, Advocate, the learned counsel for the management, I have very carefully gone through the entire evidence on record.

7. The case of the management is fully proved from the uncontroverted and unrebutted affidavit of management's witness Shri I. N. Sasikiran.

8. The reference is, therefore, answered in favour of the management and against the workman by holding that the action of the Sub Area Manager, Amlai OCM of SECL, PO Amlai distt. Shahdol (MP) in cancelling the promotion of Shri Jora Singh Dozer Operator Group "B" to Dozer Operator Group "A" is legal and justified and consequently the workman is not entitled to any relief.

9. The parties shall bear their own cost of this reference.

10. Copy of the Award be sent to the Govt. of India, Ministry of Labour as per rules.

C. M. SINGH, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का. आ. 508.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. पी. डब्ल्यू. डी. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, नई दिल्ली के पंचाट (संदर्भ संख्या 133/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं० एल- 42012/135/03-आईआर(सी. एम-II)]

एन. पी. केशवन, डैस्क अधिकारी

New Delhi the, 10th January, 2006

S.O. 508.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 133/2004) of the Central Government Industrial Tribunal-cum-Labour Court No.2, New Delhi as shown in the Annexure, in the Industrial Dispute between the management of Central Public Works Department and their workman, received by the Central Government on 10-1-2006.

[No. L- 42012/135/03-IR(CM-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE PRESIDING OFFICER: CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI

PRESIDING OFFICER : R. N. RAI

I. D. No. 133/2004

IN THE MATTER OF:—

The President,
All India CPWD Karamchhari Union,
Plot No. 1, Aram Bagh, Paharganj,
New Delhi-110055

Versus

1. The Director General of Works,
Central Public Works Department,
Nirman Bhawan,
New Delhi-110011.
2. The Executive Engineer (Civil),
Central Public Works Department,
Krishi Bhawan Division,
New Delhi-110001.

AWARD

The Ministry of Labour, by its letter No. L-42012/135/2003-IR (CM-II) Central Government Dt 29-7-04 has referred the following points for adjudication.

The Point runs as hereunder :—

"Whether the contract between the management of CPWD and the contractor is sham? If so, the demand of all India CPWD Karamchhari Union for regularization/absorption of the services of S/Shri Suresh Kumar, Bhagwan Singh, Chaman Lal, Ravi Kumar, Ajay Kumar, Ashok Kumar, Sanjay Kumar and Ms. Geeta Devi, contract labourers in the establishment of CPWD, Krishi Bhawan Division, New Delhi is legal and justified and to what relief the concerned workmen are entitled."

The union has filed claim statement on behalf of the workman and it has been stated in the claim statement that the contract entered into between the management of CPWD and the contractor is sham. The management has filed written statement and it has been stated in the written statement that the applicants have concealed the facts as regard to their

employment, date of information to the principal employer as well as non furnishing of the proof thereof. It has been also stated that the applicants have nowhere stated that the work performed by them is of perennial nature.

It transpires from perusal of the order sheet that reply was filed on 13-04-2005 and the workmen were directed to file rejoinder by 06-07-2005 but on 06-07-2005 the workmen did not turn up. Again on 8-09-05 was given for filing rejoinder. Rejoinder was not filed on that date and the workmen did not turn up. Rejoinder was not file even on 10-11-2005. The opportunity for filing rejoinder was closed as the workmen were not turning up and the case was posted for argument on 12-12-2005. On 12-12-2005 the workmen did not turn up and the management was heard. The workmen have not filed rejoinder whereas sufficient opportunity has been given to them. Opportunity for filing rejoinder has been closed. The workman have not been able to made out their case.

The reference is replied thus :—

The contract between the management of CPWD and the contractor is not sham. The demand of All India CPWD Karamchhari Union for regularization/absorption of the services of S/Shri Suresh Kumar, Bhagwan Singh, Chaman Lal, Ravi Kumar, Ajay Kumar, Ashok Kumar, Sanjay Kumar and Ms. Geeta Devi, contract labourers in the establishment of CPWD, Krishi Bhawan Division, New Delhi is neither legal nor justified. The workmen are not entitled to get any relief as prayed for.

Award is given accordingly.

Date: 15-12-2005 R.N. Rai, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

का. आ. 509.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हिन्दुस्तान एरोनाटिक्स लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, मुम्बई के पंचाट (संदर्भ संख्या 03/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं. एल-42012/133/01-आई आर (सी-II)]

एन.पी. केशवन, डैस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 509.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 03/2002) of the Central Government Industrial Tribunal-cum-Labour Court Mumbai No. 1 as shown in the Annexure in the Industrial Dispute between the management of M/s. Hindustan Aeronautics Ltd., and

their workman, which was received by the Central Government on 10-01-2006.

[No. L- 42012/133/01-IR(C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT:

JUSTICE GHANSHYAM DASS: Presiding Officer

Reference No. CGIT- 3 of 2002

PARTIES: Employers in relation to the
management of
M/S. Hindustan Aeronautics Ltd.

AND

Their workman.

APPEARANCES:

For the Management : Shri. Anavekar, Adv.

For the Workman : Ms. P. Janvekar, Adv.

State : Maharashtra

Mumbai dated the 20th day of December, 2005

AWARD

1. This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section 1 and Sub-section 2A of Section 10 of the Industrial Disputes Act, 1947 (the Act for short). Vide Government of India, Ministry of Labour, New Delhi, Order No. L-41012/133/2001 IR (CM-II) dated 18-3-2002. The terms of reference given in the schedule are as follows:

“Whether the action of the Management of Hindustan Aeronautics Ltd. Nasik in withholding the increment of Shri Shriram Arjun Mali w.e.f. 13-2-1990 and not granting promotion from 26-7-1991 and demoting from Sr. Master Technician to Master Technician is legal and justified? If not, to what relief the workman is entitled to?”

2. The Statement of Claim dated 19-4-2002 filed by Shri Shriram Arjun Mali (hereinafter referred to as workman) goes to show the detailed facts and circumstances for which he is alleged to have been harassed by the Senior Officers of higher cadres of Hindustan Aeronautics Ltd. (hereinafter referred to as Company) for a sufficient long period for which he is alleged to have been debarred from getting increments, promotion and demotions as well.

3. The workman has alleged that he refused to delete the Officers of the Company from a Police case and Court

case with a result his promotion has been withheld since 26-7-1991. He had given his representation against appointment of Shri. P. R. Barman with the then Defence Minister. In fact in 005 Shop of the Company, majority of senior officers were Bengali and they in order to take revenge against the workman who had made the complaint to the defence minister harassed him by giving adverse remark in C. R. and keeping him idle by not assigning any work. The workman had made complaint bearing No. CRC No. 420, 9/84 in Pimpalgaon Court for the offence under Sections 420, 406 and 34 of I.P.C. against Shri Sudhir Khadke and Ganpat Kolhe who were relatives of higher police department and Higher Officers of the Company, a ex-member of Union of the company. They have managed one Mr. Sitaram Ahire who is residing beside the workman to depose false statement in the above said criminal case as witness against the workman by giving money. Thereafter, the said Sitaram died suspiciously and the offence under Section 202 was lodged to that effect. Thereafter, the service was given to the son of the deceased Sitaram. This complaint was dismissed by Pimpalgaon Court by saying Civil Suit be filed, which is illegal and improper. The workman had also filed R. C. S. No. 34/86 in the Pimpalgaon Court in which the Judge Shri Kakde Saheb and Advocate of the workman did not press Company to submit the original purchase receipt of Motorcycle No. MTH-6573 Bullet, despite repeated request by the workman. It is further alleged that some Officers of the Company and its Union members managed to file complaint against the workman through one Mr. Kulkarni. The workman filed ULP complaint No. 63 of 1985 in the Industrial Court, Nasik against the General Manager and others. The workman had also filed a private complaint in Pimpalgaon Court bearing Cr. C. No. 212/85, under section 500 of 34 I. P. C. The complaint was dismissed by the Industrial Court. The workman had deposited a required fee but the accused were not produced before the Court since the legal Cell of the Company managed by playing fraud upon the Court that General Manager of the Company did not appear in the Court. The officers of the Company got annoyed with the workman and for this reason charge sheeted him by setting aside the Standing Orders and natural justice. The workman was asked on 13-10-93 by Additional General Manager, Mr. Nathani to take back the cases but he did not oblige. The Departmental Promotion Committee worked under the influence of the Senior Officers of the Company and for this reason, deprived the workman from promotion on account of the grudge in view of the facts and circumstances mentioned above, the workman was charge sheeted and punished illegally. The Officers of the Company are alleged to have been in the habit of misusing their powers and ignoring the Standing Orders and victimizing poor innocent Scheduled Tribe workers. The workman has no money or muscle power to fight against the injustice caused by the Officers of the Company who have been continuously harassing and victimizing the workman. The principles of natural justice have been violated in punishing the workman.

4. The Written Statement has been filed by the Company on 08-10-2002. It has been averred therein that

the Company is a Central Government undertaking and has its Aircraft Division at Ojar Township Post Office, Nasik and its Registered Office at 15/1, Cubbon Road, PB No. 5150, Bangalore. The workman joined the services of the Company on 23-12-1966 as Mechanic "B" (Loftsmen). The workman was a chronic case of absenteeism as well as inefficient in his work performance. He was indulged in making false complaint against superiors. Consequently, disciplinary actions were initiated against the workman. He was rated below average in his Annual Confidential Report many times and the same was duly communicated to him from time to time. The workman availed unauthorized leave and did not improve despite the series of warning letters issued to him. A proper roster of SC/ST is maintained by the Company. The allegations made by the workman has been specifically denied. The action have been initiated against the workman detailed as below:

- (i) Issued charge sheet for deliberately making false complaint against superiors knowing them to be false under Standing Orders clause No. 27 (21).
- (ii) Issued Charge sheet for go-slow in the work under Standing Orders clause No. 27 (13).
- (iii) Issued charge sheet for unauthorized absence for 43 days under Standing Orders clause No. 27 (6) dated 25-5-1993.
- (iv) Issued charge sheet for unauthorized absence for 35 days under Standing Orders clause No. 27 (6) dated 29-6-1993.
- (v) Issued charge sheet for slow-down in performance of work or insisting others to resort for go slow policy under Standing Orders clause No. 27 (13) dated 2-4-1994.
- (vi) Issued charge sheet for act subversive discipline and deliberately making false statement before a superior under Standing Orders clause No. 27 (9) (25) respectively dated 16-8-1998.

5. It is stated that the Company with held increments on the basis of valid grounds and violation of Certified Standing Orders applicable to the workman and after holding departmental enquiries after following principles of natural justice. The punishment orders have been passed from time to time in accordance with law.

6. The workman filed his rejoinder and reitreated the averment made by him in the Statement of Claim as referred to above. He also stated in it that after joining in the year 1966, he was promoted to 'A' grade within seven years and after that to High Skilled Technician and subsequently to Master Technician. He was then promoted to 'F' Group as Senior Master Technician. The problem started only when the Higher Officers of the Company started favouring Mr. Khadke. There was no cause or reason to punish the workman. There was no reason to appoint the wife and daughter of the deceased workman P. R. Barman.

7. The workman filed his affidavit in lieu of examination in chief as a piece of evidence on 05-3-2003. He also referred to number of documents filed by him in the aforesaid affidavit. The workman died on 18-6-2003. Consequently, his wife moved application to adopt the affidavit filed by her husband alongwith Certificate of death. She was put to cross examination wherein she admitted that she did not know as to what were the averments made in the affidavit made by her husband and as to whether any departmental enquiry was held against her husband. She denied that any criminal complaint was filed by her husband. She was not aware of the reasons of the complaint made by her husband before the Industrial Court or to the Police. She also denied that the management issued several charge sheets to her husband. The documents have also been filed by the workman as referred to above in his affidavit.

8. The Company did not led oral evidence but filed the following documents per list dated 10-12-2002 :

- (i) List of Senior Workman
- (ii) Acceptance letter dated 22-12-66
- (iii) Appointment letter dt. 20-12-66
- (iv) Charge sheet dated 30-10-91
- (v) Charge sheet dated 25-7-92
- (vi) Show cause notice dated 21-1-1993
- (vii) Order of punishment dated 29-3-93
- (viii) Charge sheet dated 25-5-93
- (ix) Charge sheet dated 29-6-93
- (x) Show cause notice dated 8-3-94
- (xi) Show cause notice dated 9-3-94
- (xii) Order of punishment dated 26-3-94
- (xiii) Charge sheet dated 2-4-94
- (xiv) Charge sheet dated 18-4-94
- (xv) Charge sheet dated 16-8-94
- (xvi) Show cause notice dated 17-9-94
- (xvii) Order of punishment dated 30-9-94
- (xviii) Warning letter dated 20-2-95
- (xix) Warning letter dated 28-2-95.

9. The parties had filed the written submissions in support of their case. I have gone through the record.

10. On a perusal of evidence available on record, I find sufficient evidence to justify the contention of the Company that the workman was a chronic case of

absenteeism. He remained absent from time to time. A number of charge sheets were issued against him. The enquiries were held against him and he was punished in accordance with law. No violation of principles of natural justice is being pointed out on record. The outcome of the enquiry reports is the ground for awarding the punishment to the workman for a stoppage of increments, refusal of promotion and awarding demotion from Senior grade to Lower grade by the Competent Authority. No allegation or the evidence whatsoever is being led to show that the enquiries were not fair, and that the punishments were not being awarded by the Competent Authority. The violation of Certified Standing Order as applicable to the workman at a number of time vide charge sheets issued by the Company is proved on record. I do not find anything wrong with the punishment awarded to the workman.

11. The entire case appears to have been woven by the workman alleging that he is a member of SC/ST and that he has been victimized by the Senior Officers of the Company against whom he had filed criminal complaints and the complaint in the Industrial Court. The malafide on the part of the Officers of the company are alleged but no evidence worth the name is available on record to substantiate the grudge or prejudice or malafide on the part of the Senior Higher Caste Officers of the Company. The allegations that most of the workers with the Company were Bengali and for this reason they favoured Mr. Barman is by itself no reason for any grievance to the workman unless something otherwise on the part of the Officers is shown on record. The appointment of the heirs of Mr. Barman cannot be a subject matter of this reference nor anything adverse can be commented at this juncture. Merely because the workman has levelled wild allegations against the Officers of the Company, the contention of the workman cannot be accepted as correct. The burden lies upon the workman to substantiate the allegations levelled against the Officers of the Company from which no evidence worth the name is available on record and the allegations remained allegations only.

12. Considering the entire evidence on record and the discussions made above I do not find any material for which it may be concluded by any stretch of imagination that the workman was illegally refused increments, promotion and awarded demotion. The punishments are in accordance with law.

13. Hence, I conclude that the action of the management of Hindustan Aeronautics Ltd., Nasik in withholding the increment of Shri Shriram Arjun Mali w.c.f. 13-2-1990 and not granting promotion from 26-7-1991 and demoting from Sr. Master Technician to Master Technician is legal and justified. The workman is not entitled to any relief.

14. The reference is accordingly answered.

Justice GHANSHYAM DASS, Presiding Officer

नई दिल्ली, 10 जनवरी, 2006

SCHEDULE

का.आ. 510.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल इन्टीग्रेटेड रूरल मैनेजमेन्ट सेन्टर के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, लखनऊ के पचास (संदर्भ संख्या 37/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[नं. एल-42012/103/03-आई आर (सी-11)]

मन भी. केशवन, डेस्क अधिकारी

New Delhi, the 10th January, 2006

S.O. 510.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 37/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Lucknow as shown in the Annexure, in the Industrial Dispute between the management of Central Integrated Rural Management Centre, Plant Protection, Quarantine and Storage, and their workmen, which was received by the Central Government on 10-01-2006

[No. L-42012/103/03-IR (C-II)]

N. P. KESAVAN Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL CUM-LABOUR COURT
LUCKNOW

PRESENT:

Shri Kamt Shukla, Presiding Officer

I. D. No. 37/2004

Reference No. L-42012/103/2003-IR (CM-II) dtd. 24-3-2004.

BETWEEN

Shri Vijay Kumar Yadav
S/o Shri Ram Kumar Yadav
P/o C-3262, Sapna Colony
Lucknow

AND

1. Plant Protection Officer
Central Integrated Rural Management Centre
D-3, Liberty Colony
Lucknow
2. The Director
Plant Protection, Quarantine and Storage
MH-IV, Faridabad

AWARD

The Government of India, Ministry of Labour vide their Order No L-42012/103/2003-IR (CM-II) dtd. 24-3-2004 has referred following dispute for adjudication to the Presiding Officer, Central Government Industrial Tribunal-cum-Labour Court, Lucknow for adjudication.

“क्या प्लान्ट प्रोटेक्शन ऑफिसर सेन्ट्रल इन्टीग्रेटेड रूरल मैनेजमेन्ट सेन्टर, लखनऊ द्वारा श्री विजय कुमार पुत्र श्री राम कुमार यादव को माह मई, 2002 से मौखिक आदेश द्वारा नौकरी से निकाला जाना न्यायोचित तथा न्यायसंगत है? यदि नहीं, तो संबंधित कर्मचारी किस अनुतोष का हकदार है?”

The worker's case is that he was appointed on group 'D' Post in November, 96 by Plant Protection Officer, Central Integrated Rural Management Centre, Lucknow, but, was abruptly terminated from May, 2002 without any rhyme or reason. The worker has alleged that his services was terminated without giving any notice to him, which is sheer violation of Section 25-F of Industrial Disputes Act, 1947, though opposite party has inducted new face, in place of worker. It is also alleged that the opposite party has retrenched the worker from the post of labour without assigning any reason or giving notice in spite of the fact that posts are vacant and juniors are working. This is also violation of Sections 25-G and H of Industrial Disputes Act, 1947. The worker approached the authorities and several representations were also submitted, but the worker was not reinstated. The worker has therefore, requested that the termination order be set aside and the worker be reinstated with full back wages and other consequential benefits.

The opposite party has disputed the claim and alleged that there is no sanctioned post of sweeper but some times for the purposes of cleaning the laboratory, casual labourers are engaged for 2-3 hours for a few days. During the year 1996-1997 the workman had worked on daily basis as a part time job for 30 days and was accordingly paid the remuneration as per the number of working hours. Similarly during the year 1997-98 the worker had worked for 27 days in 1987-99 for 33 days and in the year 2001-02 for 150 days. The said engagement of the workman was on part time basis i.e. for 2-3 hours, purely on casual basis. Thus, the contention of the workman that he has worked continuously from 1996 is absolutely falls and misconceived. It is further alleged that the worker was never duly appointed to any post, therefore, the question of terminating his services abruptly or otherwise does not arise. The engagement of the worker in the laboratory as a daily labourer meant for cleaning work as and when required. Whenever there was necessity of cleaning the laboratory/office, casual labourers were hired from market for part time work. The worker used to approach the office of the opposite party whenever there was requirement for engaging part time labourer. While engaging a part time labourer the department does not verify or check the correctness of the name and other credential of the labourers. Since the casual labourers are engaged directly from market as per the requirement, therefore, it is not expected that before engaging any casual labourer the department would search the same casual labourer who had worked on earlier occasion. It is submitted by the opposite party that the provisions of Section 25-F of the Industrial Dispute Act, 1947 are not attracted in the present case. It is submitted that while the workman had worked on part time basis, he had made a request to undersigned for

issuing a certificate, so that, he may get employment some were else. The undersigned had given a certificate dated 1-2-99 stating therein that the workman is working in their office as part time contingent worker since November, 1996 whenever required. Thus, certificate itself shows that the engagement of the workman was purely on part time casual basis and he cannot derive any benefit from this certificate issued by the opposite party. It is submitted by the opposite party that the office of Central Integrated Pest Management Centre is a laboratory of the Government of India where scientific activities are being carried out. Thus, the office of the opposite party is not an industry, hence, it does not come under the scope of the Central Disputes Act, 1947. It is alleged that the workman has not completed 240 days in a calendar year continuously and as such the provisions of Section 25 F of the ID Act is not attracted in the present case. Therefore, the opposite party has requested to adjudicate the reference in negative and worker is not entitled to any relief.

The worker has filed rejoinder in which he has reiterated the facts of statement of claim and has further alleged that worker has completed 240 days in every completed calendar year and besides the work taken by the opposite party from the said applicant was perennial in nature. The worker has denied that he had ever been engaged on hourly basis; in fact, he has always worked for the full day and also paid accordingly, on the basis of full days' work, and not at all on hourly basis.

The worker has filed following documents in support of his case.

1. Photo Stat copy of payment vouchers paper No. 3/8 to 3/13.
2. Photo Stat copy of Contingent bill for August, 98 paper No. 3/14.
3. Photo Stat copy of payment receipt page No. 3/19.
4. Photo Stat copy of extract of peon book paper No. 3/21.
5. Photo Stat copy of letter of Dr. R. P. Mishra addressed to Plant Protection Adviser, Haryana dtd. 13th July, paper No. 3/22.
6. Photo Stat copy of letter of Dr. M.P. Mishra addressed to Dr. Pandey, dtd. 1-2-2001 paper No. 3/23.

Worker has examined himself, whereas the opposite party has examined Dr. R. P. Mishra.

Heard arguments of parties and perused the evidence on record.

Following documents the details of which are mentioned against each are material for appreciation of the evidence.

1. Paper No. 3/8—receipt of Sh. Vijay Kumar for the work performed by him from 24-5-97 to 1-6-97 who is said to be the resident of Rajaji Puram. It is receipt of 9 days of working @ Rs. 55/- total amount Rs. 495/-.

2. Paper No. 3/9—receipt—for the period 21-7-97 to 29-7-97 @ Rs. 55/- total amount Rs. 495/- received by Vijay Kumar, Rajaji Puram, Lucknow.
3. Paper No. 3/10—receipt—for period from 15-9-97 to 23-9-97 for 9 days to Vijay Kumar @ Rs. 55/- per day.
4. Paper No. 3/11—receipt—for the work of 8 days from 14-6-98 to 21-6-98 @ Rs. 60/- total amount Rs. 480/- to Vijay Kumar. On the same receipt in the lower part there is receipt for 8 days working from 14-6-98 to 21-6-98 to Anil Kumar.
5. Paper No. 3/12—receipt—for work of 8 days from 20-7-98 to 27-7-98 @ Rs. 60/- to Vijay Kumar. On the same receipt in the lower part there is receipt for 8 days of working from 20-7-98 to 27-7-98 to Azad Kumar resident of same area.
6. Paper No. 3/13—receipt—for work from 17-8-98 to 25-8-98 to Anil Kumar. On the same receipt in the lower part there is receipt for work from 17-8-98 to 25-8-98 to Vijay Kumar.
7. Paper No. 3/14—Full-vouched Contingent Bill including Vijay Kumar from 17-8-98 to 25-8-98 along with others.
8. Paper No. 3/15—receipt—for work from 8-2-99 to 15-2-99 to Vijay Kumar. On the same receipt in the lower part there is receipt for work from 8-2-99 to 15-2-99 to Anil Kumar.
9. Paper No. 3/16—receipt—for work 19-7-99 to 26-7-99 to Anil Kumar. On the same receipt in the lower part there is receipt for work from 19-7-99 to 26-7-99 to Vijay.
10. Paper No. 3/17 receipt—for work from 1-3-2002 to 30-3-2002 to Vijay Kumar for Rs. 800/-.
11. Paper No. 3/18 receipt—for work from 1-4-2002 to 30-4-2002 to Vijay Kumar for Rs. 800/-.
12. Paper No. 3/19—receipt—for Rs. 400/- for work paid to Vijay Kumar.

From all the above details the following facts are evident:

1. That Sh. Vijay Kumar has worked for 27 days in year 1997.
2. That Sh. Vijay Kumar has worked for 25 days in year 1998.
3. That Sh. Vijay Kumar has worked for 16 days in year 1999.
4. That the worker has not worked in the year 2000.
5. That the worker has been paid Rs. 400/- in February, 2001.
6. That the worker has been paid for 2 months in 2002 before his disengagement in May, 2002.

Thus, it is not proved that the worker has worked for more than 60 days preceding the date of termination.

Dr. R. P. Mishra, witness of the opposite party has stated on oath that the safaikarmis are required to clean the laboratory in intervals so that the laboratory is not infected. Sometimes he has engaged two part time safaiwalas and some times 4 to 5 safaiwalas. Explaining as to how workers are engaged the witness stated that Technical Officer used to engage the safaiwalas through some clerk and after work is verified by the clerk the saction is accorded to for payment.

The worker has tried to say that other person, Anil Kumar is still working with the opposite party. From the documents on record it is clear that Anil Kumar is also safaikarmchhari with Vijay Kumar during work from 14-6-98 to 21-6-98. It is admitted fact. Now is the question as to whether Vijay Kumar was terminated or Vijay Kumar left the job. Dr. R.P. Mishra, witness of the opposite party has stated on oath that after May, 2002 the services of Vijay Kumar was not available to office. He also stated that his services were not terminated. The worker has also stated in the last line of his cross-examination and admitted that he has been engaged in Pahwa Gun House since May, 2002 at the salary of Rs. 1900/- per month.

In the present case there is no appointment letter in respect of appointment of worker in the laboratory of the opposite party and there is no termination order as such. I agree with the evidence of the opposite party where its witness has steeed that cleaning of laboratory required some times since cleaning is essential to disinfectant the laboratory and for that purpose safaikarmcharies were engaged for short duration as is evident from the documents referred above. It is true that some times worker has been sent to some official job elsewhere but it does not mean that he was a peon.

The opposite party has made available all documents to the worker and even the certificate which Dr. R. P. Mishra has certified that Sh. Vijay Kumar is working in the office as part-time contingent worker since November, 96 whenever requires. This also supports the statement of the witness, Dr. R.P. Mishra. Thus, it is clear from the evidence that worker Sh. Vijay Kumar was part-time casual worker and he was not regularly required to clean the laboratory. In the aforesaid circumstances I come to the conclusion that there is no violation of Section 25 F and G of the Industrial Disputes Act, 1947 as alleged by the worker. Instead he left the job to earn more than what he was getting as part-time worker for a very short spell in a year. His disengagement from May, 2002 is not termination in the eye of law but he left the cleaning job with a view to get the better service and he successfully obtained it. The issue is decided against the worker and the worker is not entitled to any relief.

Lucknow SHRIKANT SHUKLA, Presiding Officer
14-12-2005

नई दिल्ली, 10 जनवरी, 2006

का.आ. 511.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एस. ई. सी. एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचाट (संदर्भ संख्या CGIT/LC/R/225/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-1-2006 को प्राप्त हुआ था।

[सं. एल-22012/355/99-आई आर (सी-II)]

एन. पी. केशवन, डेस्क अधिकारी

New Delhi, the 10th September, 2006

S.O. 511.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/LC/R/225/99) of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of SECL and their workman, which was received by the Central Government on 10-1-2006.

[No. L-22012/355/99-IR (C-II)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT JABALPUR

No. CGIT/LC/R/225/99

Presiding Officer : Shri C. M. Singh

The Secretary,
Rashtriya Colliery Workers Federation,
Branch : Jamuna 3110 Mine,
P.O. Kotma Colliery,
Shahdol

Workman/Union

Versus

The General Manager,
Jamuna and Kotma Area of SECL,
PO: Jamuna Colliery,
Distt. Shahdol (MP)
Shahdol.

Management

AWARD

Passed on this 15th day of December, 2005

The Government of India, Ministry of Labour vide its Notification No. L-22012/355/98/IR/(CM-II) dated 23-6-99 has referred the following dispute for adjudication by this tribunal :—

“Whether the action of the Sub Area Manager, Jamuna U/G Sub Area of SECL. PO : Jamuna Colliery, Distt. Shahdol (MP) in not promoting Shri Lucas Telare. Electric Fitter Category IV to the post of Electrician/Fitter category V is justified? If not, to what relief is the workman entitled?”

2. After having filed statement of claim, workman Shri Lukas Telare absented himself from appearing before this tribunal for filing his rejoinder and documents. Therefore notices were issued to him by registered AD post. In spite of sufficient service of notice, he failed to put in appearance and therefore *vide* order dated 1-8-05, this reference proceeded ex-parte against the workman. The case of the workman in brief is as follows :—

That he belongs to Scheduled Tribe Community. He was initially appointed on the post of General Mazdoor on 13-3-90, and thereafter he was promoted to the post of Electrical helper in the month of October 1991. He was again promoted to the post of electrical fitter in category IV on 1-1-96 protecting his notional seniority w.e.f. 1-4-94. Though he is categorized as Electrical Fitter in Category IV from 1-1-96 but he has been discharging his duties as Electrical Fitter in Category V from the date of his promotion to the post of Electrical Fitter in Category-IV. That the promotion of the employees working in the coal mines are governed by the cadre scheme and according to the cadre scheme, the employees having H.S.S.C./I.T.I. and Electrical qualifications and also having more than 3 years experience are entitled to be promoted to the next higher category. The workman is continuously performing the duties of electrician fitter in category V since last 5 years. But he has been paid the salary of electrical fitter in category IV. The workman fulfills all the qualifications as required under the cadre scheme. He is senior to Shri Thakurdeen S/o Govinda who has been given promotion to the post of Electrician Fitter in Category V. That during the conciliation proceedings before the Assistant Labour Commissioner, the management filed reply admitting that the workman was eligible for promotion to the post of electrician fitter in Category V, but his case for promotion to the said post was not considered by the Committee due to less marks obtained by him in the trade test. The management admitted that the workman belongs to ST Community and therefore, his post for promotion was kept vacant. The case of the workman (under the Reserve Quota) alone was considered by the DPC hence, according to cadre scheme in spite of getting less marks, he could have been promoted to the post of Electrician Fitter in Category-V and no such reserved post can be kept vacant as per various Government circulars. That with an intention to favour Sarva Shri Thakurdeen, Mahendra Singh and Ramashray, the case of the workman was not considered for promotion whereas, he is entitled for the promotion from the date when Shri Thakurdeen and others were promoted. According to the circular dated 16-1-93 issued by the Western Coal Fields Ltd. it has been decided by the management that whenever any workman of lower category/grade has been deployed to work in a higher category/grade job and puts in 190 days or 240 days of service in a calendar year, he shall be regularized in such higher category/grade/post. It was also decided that if there is a vacant post of higher category/grade/post available the workman working in such higher category/grade/post shall be regularized against the vacant post and if no such higher category/grade/post is available, the lower category/grade/post shall be upgraded and thereafter the workman working on such post shall be

regularized by upgradation. In view of the aforesaid circular the workman is entitled to be regularized on the higher post of electrician fitter in category-V. It is prayed that the tribunal may be pleased to hold that the action of the management in not promoting the workman from the post of Electrician Fitter in Category IV of the post of Electrician Fitter in Category V is unjustified, illegal and bad in law.

3. The management contested the reference by filing their Written Statement. They have denied the case of the workman as mentioned in his statement of claim. Their case in brief is as follows :—

The workman has claimed promotion from the post of Electrical Fitter Category IV to the post of Electrical Fitter Category-V and the said relief has already been granted to him vide office order No. 844 dated 14/19-6-02. Therefore the present reference becomes infructuous. The management is one of the area of SECL, a company registered under the Indian Company's Act having its registered office at Bilaspur. SECL is one of the subsidiary company of coalfield India Ltd., a Government of India undertaking. The terms and conditions of employment of the employees working in coal industry are governed by various settlements that has been executed from time to time. The said settlement is generally known as NCWA. The NCWA contains the cadre scheme. Promotional channels of all cadres are given in the cadre scheme. Shri Lukas Telare, the workman was initially reported as general mazdoor Category-I w.e.f. 13-2-1990 vide order dated 16-2-90. Thereafter he was promoted to the post of electrical fitter Category-II in the month of October 1991 vide office order No. 2319/14 dated 3-12-91. Subsequently he was promoted as Electrical Fitter, Category-IV in the month of January 1996. However, he was given notional seniority w.e.f. 1-4-1994. A Departmental Promotional Committee was constituted by Sub Area Manager, Jamuna UG/RO vide office order No. 97-2450 dated 24-11-97 to consider eligible employees of Jamuna 9-10 Mines for promotion. The workman's case was also considered by the DPC for promotion to the post of Electrician Category-V. However, he has not passed the trade test hence he was not found fit for promotion. As the workman belongs to ST cadre, the post was kept vacant as per roster. The workman has claimed promotion. Promotion cannot be claimed as a matter of right as it is managerial function. It depends on various circumstances such as administrative requirement, availability of post, eligibility of the workman concerned, recommendations of DPC etc. The workman was paid the wages for the post he was holding and performing the job. Since the workman could not obtain qualifying marks in the trade test, his case was not considered by the DPC in the year 1988. As he was not qualified, he was rightly not given promotion. It has been denied that the workman is senior to Sarva Shri Thakurdeen, Mahendra Singh and Ramashray. It has been prayed by the management that under the above circumstances, the action of the management is fully justified and therefore, the reference may be answered accordingly.

4. The management in support of their case filed affidavit of Shri Rama Krishna Pushty, the then working as Sr. Personal Officer in Jamuna UG/RO.

5. I have heard Shri A. K. Shashidharan, Advocate for the management. I have very carefully gone through the entire evidence on record.

6. The case of the management stands fully proved by the affidavit of management's witness Shri Ramakrishna Pushty as the said affidavit has remained un rebutted and uncontroversed.

7. The reference is, therefore, answered in favour of the management and against the workman by holding that the action of the Sub Area Manager, Jamuna U/G Sub Area of SECL, PO Jamuna Colliery, Distt. Shahdol (MP) in not promoting Shri Lukas Telare, Electrical Fitter Category IV to the post of Electrician/Fitter Category V is justified and consequently the workman is not entitled to any relief.

8. Parties shall bear their own costs of this reference.

9. Copy of the award be sent to the Government of India, Ministry of Labour as per rules.

C.M. SINGH, Presiding Officer

नई दिल्ली, 12 जनवरी, 2006

का.अ. 512. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेवल डॉकयार्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. II, मुम्बई के पंचाट (संदर्भ संख्या सी. जी. आई. टी. - 2/30 आफ 2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-1-2006 को प्राप्त हुआ था।

[सं. एल- 14012/44/04-आई आर (डी यू)]

कुलदीप राय बर्मा, डेस्क अधिकारी

New Delhi, the 12th January, 2006

S.O. 512.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT-2/30 of 2005) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, Mumbai as shown in the Annexure, in the Industrial Dispute between the employees in relation to the management of Naval Dockyard and their workman, which was received by the Central Government on 12-1-2006.

[No. L-14012/44/04-IR (DU)]

N. P. KESAVAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 2 AT
MUMBAI

PRESENT: B.I. Kazi, Presiding Officer

Reference No. CGIT-2/30 of 2005

Employers in relation to the management of Naval Dockyard

AND

Their Workmen (Shri Suresh D. Ubale)

APPEARANCES:

For the Employer : Mr. V. Narayanan, Advocate

For the Workman : No appearance

Mumbai, dated 6th December, 2005

AWARD

The Government of India, Ministry of Labour, New Delhi, by its order No. L-14012/44/2004-IR (DU) dated 09-12-2004 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following Dispute to this Tribunal for adjudication:—

SCHEDULE

“ Whether the action of the Management of Naval Dockyard, Mumbai in removing the services of Shri Suresh D. Ubale, Ex-Labourer w.c.f. 27-11-2000 is legal and justified? If not, what relief the workman is entitled to?”

2. On receipt of Order of Reference from Government, notices were issued to both parties (Ex. 2). Both parties were served (Ex. 3 and 4). The matter was adjourned from time to time for filing Statement of Claim. Management was present from time to time. Workman remained present only twice on 09-03-2005 and 13-5-2005 and requested for time to file Statement of Claim. Thereafter workman remained absent throughout. Ex-Parte notice was therefore issued for filing Statement of Claim by the workman on 30-11-2005. (Ex. 6). The said Ex-parte notice was returned un-served with the postal remarks “Not Known” (Ex. 7). Till date workman has not filed his Statement of Claim nor put his appearance. Today Mr. V. Narayanan, Advocate for the Management appeared and filed application stating that workman has not filed Statement of Claim though several adjournments were given and prayed for dismissal of the case.

3. Sufficient opportunity was given to the workman. However, the workman failed to put forth his appearance or his claim before this Tribunal. In the circumstances the plea of the management is justified.

4. In view of the above the reference needs to be disposed of for default. Hence the order.

ORDER

Reference stands disposed of for default.

B.I. KAZI, Presiding Officer

नई दिल्ली, 12 जनवरी, 2006

का.अ. 513. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार गवर्नमेन्ट ऑफ इंडिया मिनट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. II, मुम्बई के पंचाट (संदर्भ संख्या सी.

जी. आई. टी.-2/22 ऑफ 2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-1-2006 को प्राप्त हुआ था।

[सं. एल-16011/2/03-आई आर (डी यू)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 12th January, 2006

S.O. 513.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT-2/22 of 2005) of the Central Government Industrial Tribunal/Labour Court, No. II, Mumbai now as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Government of India Mint and their workman, which was received by the Central Government on 12-1-2006.

[No. L-16011/2/03-IR (DU)]

KULDEEP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2 AT MUMBAI

PRESENT:

Mr. Justice Ghanshyam Dass (Retd.), Presiding Officer

Reference No. CGIT -2/22 of 2005

Employers in relation to the management of
India Government Mint

AND

Their Workmen (Bombay Mint Employees Federation)

APPEARANCES:

For the Employer : Mr. V. Narayanan, Advocate

For the Workman : Mr. Umesh Nabar, Advocate

Mumbai, dated the 3rd January, 2006

AWARD

The Government of India, Ministry of Labour, New Delhi, by its Order No. L-16011/2/2003-IR (DU) dated 2-12-2004 in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 have referred the following Dispute to this Tribunal for adjudication:—

SCHEDULE

“Whether the action of the management of Government of India Mint, Mumbai in not granting of 19% compensation for the increased working hours from 37 and 1/2 hours per week to 44 hours per week is just and legal? If not, to what relief the workmen are entitled?”

2. At the stage of filing of written statement by management, Union filed application (Ex. 8) stating that the Government of India, Ministry of Labour and

Employment vide their Order No. L-16011/3/2004-IR (DU) dated 06-06-2005 referred the above matter to the National Industrial Tribunal, Kolkata as per the order of the Hon'ble High Court of Kolkata in W.P. 8741 (W)/2005. The matter was kept for say of the management today (i.e. 03-01-2006). Management filed their say (Ex. 10) enclosing copy of Govt. of India, Ministry of Labour and Employment Order No. L-16011/3/2004-IR (DU) dated 06-06-2005 and prayed for treating the matter as closed in view of the said reference having been referred before the National Industrial Tribunal, Kolkata.

3. In view of the above, I pass the following order :

ORDER

Reference stands disposed of as closed.

Justice GHANSHYAM DASS (Retd.), Presiding Officer

नई दिल्ली, 13 जनवरी, 2006

का.आ. 514.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार हांगकांग एंड संचाई बैंकिंग को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण श्रम न्यायालय, सं. II, नई दिल्ली के पंचाट (संदर्भ संख्या आई डी-97/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2006 को प्राप्त हुआ था।

[सं. एल-12012/60/96-आई आर (बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 13th January, 2006

S.O. 514.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. ID-97/1997) of the Central Government Industrial Tribunal-cum-Labour Court, No. II, New Delhi as shown in the Annexure, in the Industrial Dispute between the employers in relations to the management of Hongkong & Shanghai Banking Corp. Ltd., and their workman, which was received by the Central Government on 13-1-2006.

[No. L-12012/60/96-IR (B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT-II, NEW DELHI

PRESENT:

R N Rai, Presiding Officer

L D. No. 97/1997

In the matter of:

Shri Dalip Kumar.
B-292, New Seemipuri,
Shahdra, Delhi-93.

Versus

The Manager,
Hongkong & Shanghai Banking,
Corporation Limited,
28, K.G. Marg, New Delhi.

AWARD

The Ministry of Labour by its letter No. L-12012/60/96/IR(B-I) : Central Government dt. 14-07-1997 has referred the following point for adjudication.

The point runs as under :—

“Whether the action of the Management of Hong Kong & Shanghai Banking Corpn. Ltd., New Delhi dismissal of Sh. Dilip Kumar, sub-Staff, from service w.e.f. 3-10-92 is just, fair and legal? If not what relief the concerned workman is entitled to and from what date?”

The workman applicant has filed claim statement. It has been stated herein that the workman was working in the said Bank situated at 28, K. G. Marg, New Delhi as a subordinate staff and his services were confirmed w.e.f. 1-9-1989 after successful and satisfactory completion of his probation. He had been working sincerely and to the satisfaction of his superiors and maintained unblemish record throughout.

Since the workman was a member of the Trade Union and actively participated in the Union activities, the management issued chargesheet dated 7-3-92 and ultimately dismissed the workman *vide* order dated 3-10-1992. Against the order of dismissal an appeal was preferred which was dismissed by the Appellate Authority *vide* order dated 14-12-1992. Both the orders dated 3-10-1992 and 14-12-1992 were passed by the manager holding same rank.

That the dismissal of workman from the service of the bank *vide* order dated 3-10-1997 and dismissal of appeal *vide* order dated 14-12-1997 are illegal, unfair, unjust, in gross violation of principles of natural justice, victimization and unfair labour practice.

That the brief facts are as under. The workman along with two other colleague friends namely, Shri Krishan Kaushik and Shri Rajeev Mishra went to visit their common friend on the evening of 18-2-92 directly from the office and had left behind their belongings in the Bank. After meeting the common friend they came back to the bank at about 9.30 to collect their belongings before leaving to their respective home.

Shri Dalip Kumar and Shri Rajeev Mishra approached the watchman of the bank and sought permission to enter the Bank for collecting their belongings. Since the watchman, Shri Vijay Mitra Sharma refused permission to enter the Bank, the workman left that place along with

other two colleagues and proceeded to their respective home.

That to the utter dismay and shock the workman received an order of suspension on 20-2-1992. It was alleged in the order of suspension that the workman had on the night of 18-2-1992 in a drunken state smashed the windscreen and side windows of the Bank's cash Van parked in the Bank's parking area. It was also alleged that the workmen had threatened and intimidated the Bank's watchman and the security guard.

That the workman was subsequently charge sheeted *vide* chargesheet dated 7-3-1992. It was alleged in the chargesheet that on 18-2-1992 at about 10.00 p.m. the workman in a drunken state smashed the windscreen and side window of the Bank's cash van. The charges as is evident from chargesheet, are vague and devoid of material particulars: predetermination of guilt without any enquiry. Therefore, the charge sheet is legally not sustainable and is liable to quashed being invalid and not legal.

That the enquiry was held only in respect of Shri Kishan Kaushik and not against Shri Dalip Kumar and Shri Rajeev Mishra. The enquiry was not in accordance with law and rather in gross violation of principles of Natural Justice. Without Shri Dalip Kumar and Shri Rajeev Mishra the enquiry was held and only on the last proceedings held on 23-6-1992 they were called to answer to the questions of the management representative and then examined by Mr. K. P. Mathur who was not appointed by Shri Dalip Kumar and Shri Rajeev Mishra to represent their case. Till both were called in to answer the questions of Management Representative, they were asked to wait outside.

That the Management made a complaint to the police on 19-2-1992 and the allegations includes that the workman and attempted to assault the watchman threatened and attempted to as assault the watchman and security agency guard. There was no such allegation in the charge sheet. This is further evident from the statement of the management witness, Shri Vijay Mitra Sharma. The management witness Shri Vijay Mitra Sharma has not stated that the workmen were drunk and he was not threatened or intimidated by the workman.

Therefore, it is clear that the intention of the management was to trap the workman and get rid off them for their union activities.

That the Enquiry Officer, Shri Uppal was subordinate to Mr. Alok Gupta, Sr. Accounts Manager who was the Management representative in the enquiry. The Enquiry Officer, was also subordinate to Shri John Curricat, Assistant Personal Manager (MW2) and Mr. P. Wahi, Manager Operations (WW3) Being a subordinate, the Enquiry Officer acted according to the wishes of his superiors and there being definite influence on the Enquiry

Officer by his superiors, the enquiry was vitiated by bias. The enquiry therefore was being biased is illegal, invalid, unfair and unjustified.

That there was no evidence worth reliance and even to conclude that the workman had committed misconducts, as alleged in the charge sheet dated 7-3-1992. The findings of the enquiry officer are based on no evidence. The MW1 had stated that the workmen were not drunk, and they had not threatened or intimidated. The statement of evidence of MW1 is not reliable at all, as he contradicted his own statement given earlier. Placing reliance on the statement of MW2 and MW3 who are only hearsay witnesses and more particularly when MW1 direct witness, makes contradictory statements. When the direct evidence does not prove the charges, could reliance be placed on the hearsay or circumstantial evidence? Therefore, the findings based on such evidence are illegal, invalid and the enquiry is vitiated.

That the police report dated 2-3-1992 was relied in the enquiry. This document has no evidentiary value. Further, the police officer concerned who prepared the report dated 2-3-1992 was not produced at all in the enquiry. The workman was not subjected to any medical examination to find whether the workman was under the influence of liquor. Even the MW1 who was the watchman/Chowkidar has categorically stated that the workman was not drunk. Therefore, the findings are without any evidence and hence the enquiry is liable to be set aside being illegal, invalid and unfair.

That Shri Raj Bahadur who was the Security Guard present on 18-2-1992 night at the time of alleged incident was not produced. In spite of demand he was not produced by the management. Due to non-production of such material witness grave prejudice has been caused to the workman. Had he been produced it would have come to light that the workman did not commit any misconduct, as alleged in the charge-sheet.

That the parking area of the bank where the Cash Van was parked was easily accessible to the public. There was 24 hours ATM Machine Service available to the public. This fact has not been denied by the management.

That there is a factual inconsistency in the suspension order dated 20-2-1992, the charge sheet dated 7-3-1992 and police complaint dated 19-2-1992, and also in the statement of MW1, MW2 and MW3 such inconsistent stand/pleas themselves prove that the management with malafide intention and to victimize the workman for Union Activities took the disciplinary action against the workman.

That the enquiry was in gross violation of principles of natural Justice. No reasonable opportunity was given to the workman to defend him in the enquiry. Violation of principles of natural justice vitiates the entire disciplinary action and the resultant orders dated 3-10-1992 and 14-12-1992.

That there was no proper show cause notice issued by the Disciplinary Authority before passing the order of the punishment of dismissal.

It is submitted that the punishment of dismissal is disproportionate to the nature of charges. The workman has maintained unblemished record and as a subordinate staff, rendered satisfactory services to his superiors with all sincerity and hard labour. The misconduct is only a mischief and therefore the punishment of dismissal depriving source of livelihood is a capital punishment. Therefore disproportionate nature of punishment and non-disclosure of reasonings to award the punishment of dismissal, the order of punishment dated 3-10-1992 is illegal and invalid.

The management has filed written statement. It has been stated that in the present case the bank conducted a legal, valid and proper domestic enquiry in respect of the acts of misconduct committed by the workman. The Bank relies upon the same, however, should this Hon'ble tribunal come to the conclusion that the enquiry is defective, for any reason whatsoever, the right of the Bank to adduce oral and documentary evidence afresh is reserved.

It is false specifically repudiated that the workman had been working sincerely and to the satisfaction of his superiors and/or that he maintained unblemished record of service throughout. On the contrary, the work, conduct and performance of the workman was far from satisfactory but the bank has a proactive personnel policy whereby it is their endeavor to advise, counsel and caution the workmen regarding their performance and conduct so as to maintain harmonious, healthy and amicable industrial relations in the Bank. It was in this perspective that although the workman had from time to time indulged in acts of misconduct, he was suitably dealt with on such occasions, without casting a blemish on his service record. In any event, the averments made by the workman are irrelevant, keeping in view the chargesheet issued to him.

As regards the assertion of the workman that he was a member of the trade union and that he actively participated in the union activities is denied for want of knowledge. The Bank has no record available either to confirm the membership of the workman of a trade union or much less regarding his active participation in union activities. Hence, the workman is put to very strict proof of his such assertions.

As regard the issuance of the Chargesheet dated 7th March 1992, the same was issued to the workman as there were gross and serious charges and allegations against him that warranted disciplinary action. Hence, he was served with the Chargesheet dated 7th March 1992. The disciplinary action was taken strictly in accordance with the provisions of the Bi-partite Settlement, a legal, valid and proper domestic enquiry was conducted and on

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the submission of the report by the Enquiry Officer and consideration thereof, the service of the workman were dismissed by the Manager, Corporate Banking, who is the Punishing Authority as per the Bi-partite Settlement which was issued *vide* letter dated 3rd October 1992.

Thereupon, the workman preferred an Appeal. The Appellate Authority who is the Manager, Northern India applied his mind and thereafter was pleased to pass order dated 14th December 1992. In the circumstances, the assertions and allegations that the order of dismissal dated 3rd October 1992 and the order of the Appellate Authority dated 14th December 1992 were passed by the Manager holding the same rank is not true nor based on records.

The parties explained their respective contentions and stands before the Conciliation Officer, who, in the circumstances, proceeded to submit a failure report, which subsequently, resulted in the reference Order dated 14th July 1997 which is a matter of record. It is, further specifically repudiated that the management had any vindictive attitude during the Conciliation proceedings. On the contrary, the Bank clearly set out the true facts of the matter whereby it was not possible for the Bank accede to the demand of the workman for reinstatement in their services.

The workman has made bald assertions and allegations that his dismissal from the services of the bank *vide* orders dated 3rd October and 14th October 1992 is illegal, unfair, unjust, in gross violation of principles of natural justice, victimisation and unfair labour practice. These bald allegations in the absence of any cogent evidence as also positive averments and assertions in support thereof do not merit any consideration whatsoever.

There is no controversy in the facts that on 18th February 1992, the workman concerned along with Messrs. Shree Kishan Kaushik and Rajeev Mishra left the premises of the bank after their duty hours. They returned to the bank's premises at about 9.30 p.m. on the same date. All three of them have alleged that they left their belongings inside the Bank. However, the particulars of the belongings allegedly left inside the Bank. However, the particulars of the belongings allegedly left inside the Bank have not been set out or listed by them. The workman concerned even in the present Statement of Claim, has not disclosed as to what belongings he were left behind in the Bank, that necessitated his return to the Bank's premises and entry therein.

It may be mentioned that as per the records of the Enquiry, it had transpired that only Mr. Rajeev Mishra had stated that his things were in the kitchen which was locked and the key was with him. However, he too has not set out precisely the belongings left by him inside the Bank. Furthermore, at the enquiry, it has been stated by Mr. Dalip Kumar that he had gone from the bank to Tilak

Nagar, whereas Mr. Rajeev Mishra has stated that he had gone to Janakpur Mr. Shree Kishan Kaushik in his testimony at the Enquiry has stated that after finishing duty he had gone together and if so, to Tilak Nagar or to Janakpuri. If all of them had gone to Tilak Nagar together to see the friend after leaving the Bank, there should be no contradiction or ambiguity. However, from the records it is disclosed in the proceedings, therefore, it appears that the alleged visit to see a friend at Tilak Nagar has been concocted.

The defence taken that all of them had gone to the bank at around 9.30 pm when they clearly know that the Bank should be closed, to take their belongings from inside the Bank's premises, is also clearly a concocted story. On the contrary, it establishes that all the three workmen had left their so-called belongings which is not of any worthy credence. There is nothing on record to fully explain and satisfy as to why it was considered imperative and necessary for the three workmen to enter the Bank's premises at around 9.30 to allegedly retrieve their personal belongings.

The workman applicant has filed rejoinder. In his rejoinder he has reiterated the averments of his claim statement and has denied most of the paras of the written statement. The management has also denied most of the paras of the claim statement.

Evidence of both the parties has been taken.

The workman applicant was not present on 28th October, 2005. He was again not present on 14th November, 2005. The workman applicant was not present even on 23-11-2005. Argument of management was heard. The workman applicant has given his entire evidence so the reference is being adjudicated upon on the merits of the entire case. The case of the workman is that he has been illegally dismissed by the management. Principles of justice have not been followed during the course of inquiry. The applicant has not been given effective opportunity to cross examine the witness. The order of the Inquiry Officer is perverse, illegal and arbitrary. He has not been afforded effective opportunity to defend his case. The conclusion drawn by the Inquiry Officer is not according to judicial procedure. There is non application of mind of the Inquiry Officer. Punishment is disproportionate to the misconduct of the employee. It is highly shocking to the conscience of the Court. The dismissal order and order of appeal have been passed by one and the same person. The workman was not involved in the incident of smashing the window screen and the side window of the bank's van in a drunken state. The charges are vague and devoid of material particulars. The management was pre-determined to punish the workman applicant. Shri Raj Bahadur the Security Assistant has not been examined. The workman never threatened or attempted to assault the watchman. The Inquiry Officer has given his findings according to the wishes of his superior authorities. There is no medical

examination regarding consumption of alcohol by the workman. Findings by the Inquiry Officer has been given on hearsay evidence. The workman was engaged in union activities. Inquiry was conducted in order to victimize the workman.

The case of the management is that the workman along with the other two colleagues Shri Kishan Kaushik and Shri Rajiv Mishra went to the bank at about 9.30 PM and they approached the watchman and sought permission to enter the bank. The watchman Shri Vijay Mitra Sharma refused permission to enter the bank. The workman along with his above colleagues threatened the watchman and attempted to assault him. The complaint was made to the police on 19-02-1992. The Police also reached the place of occurrence. No FIR was registered as no cognizable case was made out.

It is further submitted by the management that proper opportunity was given to the workman applicant to cross examine the witnesses and to defend his case. He has engaged his DR and his DR has cross-examined all the witnesses. The management during the course of inquiry produced five witnesses. The representatives of the workman has cross examined all the witnesses. Shri Rajiv Mishra and Shri Kishan Kaushik have been examined by the workman. They are also alleged to have smashed the window screens of the van. The watchman Shri Vijay Mitra Sharma has also been examined.

From perusal of the inquiry report it transpires that the workman authorized a representative to cross examine all the witnesses and the witnesses have been cross examined by his authorized representative. The management has examined Mr. P. Wahi, Manager (Operations). The watchman informed him regarding the incident and he reached the place of occurrence. The workman and his colleagues have gone away from there but the watchman told him that they have gone there and they threatened him and attempted to assault him when did not permit them to enter the bank.

It appears that the witness Vijay Mitra Sharma was won over by the workman. He has admitted in his evidence that he heard their noise but he did not open the shutter. After sometime he heard the noise of smashing of the window screen. Mr. John Curicatt was also present on the scene of occurrence as he was also informed by the watchman. The two witnesses Mr. John Curicatt and Mr. Wahi have been examined by the management. These two witnesses had stated that when they reached the place of occurrence the watchman Shri Vijay Mitra Sharma told them that the workman along with Shri Rajiv Mishra and Mr. Kishan Kaushik went to the bank and they tried to enter the bank but they were not permitted then they smashed the window screen of the van and they attempted to assault him, they were drunken state. The two witnesses

Mr. Wahi and Mr. John Curicatt have given hearsay evidence. It is settled law that in departmental inquiry hearsay evidence has importance of direct evidence provided there is nexus to the incident. It is settled law that Technical and Sophisticated Rules of Evidence Act are not applicable in departmental inquiries. The charges of mis-conduct can be proved on the ground of hearsay evidence provided, it is related to the incident. Mr. Wahi and Mr. John Curicatt, the two responsible officers of the bank were informed by the watchman and they reached the place of incident. The watchman told them that the workman and Shri Rajiv Mishra and Kishan Kaushik had gone there in a drunken state, they wanted to enter the bank but when they were refused they attempted to assault him and they smashed the window screen of the van. The watchman was won over by the workman. The evidence of Mr. Wahi and Mr. John Curicatt cannot be discarded as they reached the place of incident immediately. So in the instant case hearsay evidence has got importance. Shri Kishan Kumar has admitted during the course of examination that he takes alcohol, Shri Rajiv Mishra has stated that he takes alcohol sometimes. The three workmen were not available for examination of alcoholism.

The case of the management is proved by the hearsay evidence of Mr. John and Mr. Wahi and the evidence of the watchman Shri Vijay Mitra Sharma. It is not necessary for the management to examine all the witnesses. The other witness Shri Raj Bahadur might have been won over by the workman so he was not called for evidence during the course of inquiry.

I have perused the entire record and it is quite obvious that principles of natural justice have been observed in the departmental inquiry and the workman has been afforded effective opportunity to cross examine the witness and produce his own witness. There is no violation of any principle of natural justice. The Inquiry Officer has rightly held that the workman was involved in the incident. There is no merit in the case of the workman applicant. The inquiry is quite proper and according to the principles of natural justice. There is no defect in the inquiry. The punishment is also not disproportionate and shocking to the conscience of the court. The workman applicant is not entitled to get any relief as prayed for.

The reference is replied thus:—

The action of the Management of Hong Kong & Shanghai Banking Corpn. Ltd., New Delhi in dismissal of Sh. Dilip Kumar, Sub Staff, from service w.e.f. 3-10-92 is just, fair & legal. The workman applicant is not entitled to get any relief as prayed for.

Award is given accordingly.

Date: 10-01-2006.

R.N. RAI, Presiding Officer

नई दिल्ली, 13 जनवरी, 2006

का. आ. 515.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक आफ इंदौर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय सं. II, नई दिल्ली के पंचाट (संदर्भ संख्या आई डी-35/1997) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2006 को प्राप्त हुआ था।

[सं० एल- 12011/22/96-आई आर(बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 13th January, 2006

S.O. 515.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (ID-35/1997) of the Central Government Industrial Tribunal/Labour Court No. II, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Indore and their workman, which was received by the Central Government on 13-1-2006.

[No. L- 12011/22/96-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II NEW DELHI

PRESIDING OFFICER: R.N. RAI

I.D. No.35/1997

IN THE MATTER OF:—

The General Secretary,
All India State Bank of Indore,
Employees Co-ordination Committee,
C-28, Community Centre,
Janakpuri, New Delhi -58.

Versus

The Regional Manager,
State Bank of Indore,
Regional Office (V),
16/15, WEA, Karol Bagh,
New Delhi-110005.

AWARD

The Ministry of Labour by its letter No.L-12011/22/96 IR (B) Central Government Dt. 06-03-1997 has referred the following point for adjudication.

The point runs as hereunder:—

“Whether the management of State Bank of Indore are indulging in unfair, illegal and discriminatory as set out in Annexure (enclosed) against their workman viz. S/Shri P.K. Sharma and G.C. Chaturvedi who are also office bearer in capacity as Vice President and General Secretary respectively of the All India State Bank of Indore Employees Co-ordination Committee.”

The workman applicants have filed application that they have reached settlement with the management and

want to withdraw their case. The counsel for both the sides was present and they verified the signatures of the workmen. The workmen have withdrawn their case.

No dispute award is given.

Date: 05-01-2006.

R. N. RAI, Presiding Officer

नई दिल्ली, 13 जनवरी, 2006

का. आ. 516.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एन.एफ. रेलवे, लुमडिंग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, गुवाहटी के पंचाट (संदर्भ संख्या 6(सी) आफ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-1-2006 को प्राप्त हुआ था।

[सं० एल- 41011/50/01-आईआर(बी-1)]

अजय कुमार, डैस्क अधिकारी

New Delhi, the 13th January, 2006

S.O. 516.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award 6 (C) of 2002 of the Industrial Tribunal, Guwahati now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of N.F. Railway, Lumding and their workman, which was received by the Central Government on 13-1-2006.

[No. L- 41011/50/01-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL, GUWAHATI, ASSAM. REFERENCE NO. 6(C) OF 2002

Present :

Shri B. Bora,
Presiding Officer,
Industrial Tribunal, Gawahati.

In the matter of an Industrial Dispute between :

The Management of
N.F. Railway, Lumding.

V/s

Their workman

Shri H.M. Kanjilal.

APPEARENCE : Shri K.C. Sharma,

Advocate : For the Management

Shri K.K. Biswas, : For the Workman
Advocate

Date of Award : 4-10-2005

AWARD

The Govt. of India, Ministry of Labour, New Delhi by a notification No. 41011/50/2001/IR (B-O) dt. 30-4-2002 referred an Industrial Dispute between the Management of N.F. Railway and their workman Shri H.M. Kanjilal on the following issue :

"Whether the action of the management of N.F. Railway, Guwahati in not effecting seniority of Shri H. M. Kanjilal, (ex-Khalasi) now Telephone Operator under General Manager (Con), Maligaon from the date of the screening test on 20-2-78 is justified? If not, what relief Shri Kanjilal is entitled?"

On receipt of reference, a reference case was registered and notices were issued both parties calling upon them to file their written statements/addl. written statements and documents if any. In response to the notices both parties appeared in this Tribunal and filed their written statements. Both parties also adduced evidences both oral documentary in support of their respective cases.

The case of the workman Shri H.M. Kanjilal in brief is that:

Shri H.M. Kanjilal, now working as Telephone Operator under Deputy Signal & Telecommunication Engineer/TC-1/N.F. Railway, Maligaon for whose grievances this Industrial Dispute has arisen, is the workman in the instant case.

Having failed to receive any susceptible response from the Management of the N.F. Railway to the series of representations and personal approaches to all levels by the workman in the instant case Shri. H. M. Kanjilal approached the union for raising the issue to the appropriate level for his redress from the date of his screening test held on 20-2-78 by the Chief Personnel Officer, N.F. Railway, Maligaon. The conciliation proceeding failed to arrive at a conclusion in resolving the dispute for granting promotion and of granting promotional benefits to the aggrieved workman.

The workman Shri H.M. Kanjilal was appointed on 01-02-77 in the office of the Chief Signal & Telecommunication Engineer, Maligaon as substitute Khalasi against the regular vacancy.

Shri Kanjilal was asked to appear in the screening test held on 20-02-78 by the Chief Personnel Officer, N.F. Railway, Maligaon, under his file No. N/51/1/21, Sl. No 168 No. E/227/172 (N) dated 14-02-78. Shri Kanjilal appeared in the said test and in the seniority list of Khalasi/peon was published vide. The Chief Signal & Telecommunication Engineer (P)/Maligaon's letter No.E/255/105 (N) of 23-08-85 showing the date of appointment Shri Kanjilal as 22-01-79 in the regular cadre although he had appeared in the screening test on 22-02-78.

Although Sri Kanjilal duly qualified in the trade test/screening test on 20-02-78, his name was not included in the list published on 13-03-81 and 13-05-81 due to administrative lapse and whims.

After considering the irregularities/lapses, the Competent Authority subsequently gave a decision for regularising the six candidates, whose names were wrongly shown in the screening test held on 20-02-78 including the workman Sri Kanjilal.

In spite of the said regularisation the Divisional Railway Manager (P), N.F. Railway, Lumding showed his regular service from 13-03-85 vide his letter No. E/254/1 (selection) dated 21-05-91 and thereby deprived the workman Sri Kanjilal of his legitimate claim for correct

seniority from the date of his regularisation of his service and elevation of the promotional grade with its consequential benefits.

The matter was personally taken by the then Chief Engineer/Con-II. N.F. Railway, Maligaon with the Chief Personnel Officer, N.F. Railway, Maligaon vide his D.O. No.19 E/Con/HMK dated 30-12-91 and requested for assignment of correct seniority of the workman Sri Kanjilal at par with other persons mentioned in the said D.O. letter.

The workman Shri Kanjilal appeared and qualified in the written test for the promotion of Junior Telephone Operator in the scale of Rs. 950 1500 per Divisional Railway Manager (P), Lumding's letter No. E/254/1(selection) dated 01-11-90 and *viva-voce* test on 14-12-90, but his name has not been shown in the select list whereas his juniors were given the promotion who were now working against the higher grade posts.

Against such miscarriage of justice the workman Sri Kanjilal represented to the Divisional Railway Manager (P), Lumding, and the Divisional Railway Manager (P), Lumding has informed him vide his letter No.E/254/1(selection) dated 21-05-91 stating that his regular appointment as Khalasi was approved only on 13-03-85, and hence, his case could not considered.

Against such gross injustice the Chief Engineer (Con-II), Maligaon referred the matter to the Chief Personnel Officer and requested him to regularise the case of Sri Kanjilal vide the D.O. letter No. 19E/Con/HMK dated 30-12-91.

It is surprising to note that after 1990 many selections were conducted by the Divisional Manager (P), Lumding for the promotions of the Telephone Operators etc., but the workmen Sri Kanjilal was never called in any of the selection and his name was not shown in any seniority list either of the Group-C or of the Group-D categories.

The actions of the N.F. Railway administration, more particularly of the Divisional Railway Manager (P), Lumding, in regard to the fixation of seniority and giving him promotion duly regularising his service seniority from the date of the screening test held on 20-02-78 is highly irregular, unlawful, unfair and discriminatory so as to cause miscarriage of justice to the workman Sri Kanjilal and thereby deprive him of his legitimate claims in getting the seniority and due promotion.

The workman has prayed for and award in his favour.

On the other hand the case of the management in brief is as follows:

The suit is not maintainable in present from in law as well as in fact and is liable to be dismissed.

The statement made in para 1 by the workman is about his present official posting, his designation alongwith other official Bio-data which is all matter of official records and as such the Management has nothing to comment about this and admitted to the extent they are supported by records.

That, the statement made in para 2 by the workman is not correct and hence denied. In fact, the workman represented his case through one of the recognised Trade Union namely N.F. Railway Employees Union and after through discussion at the Highest level the Management was pleased to disposed of the matter and informed the Union concerned vide letter No. E/301/33/68(U) dated 6-4-93. By suppressing facts the petitioner again approached the management through Rail Mazdoor Union which is not a recognised union.

That, the statement made in para 4 by the workman is not correct and hence denied. In fact the workman was appointed as casual labour @ Rs. 6.00 per day and not as a substitute Khalasi against regular vacancy as claimed by the workman in the petition.

That, the statement made in para 5 by the workman is not correct that the date of appointment of the workman is 22-01-79. In fact, the Management begs to state that the workman was appointed as a casual Labour @ Rs. 6 per day on 01-02-77 by vide No. E/283/160(N) pt. II dated 01-02-77. After completion of 6 (six) months service as a casual labour @ Rs. 6 per day the workman was promoted to casual Khalasi @ Rs. 9.82 per day vide No. 201-E/343(N) dated 01-09-77. Again on completion of 2 (two) years of continuous service the workman was posted as peon in scale Rs. 196-232 under CSTE/MLG Vide No. E/283/163(N) Loose-3 dated 22-1-79. As the workman initially appointed as Casual Labour on 1-2-77 so date of appointment is on 1-2-77 but he was temporarily posted as peon with effect from 22-1-79 in the regular cadre.

That, the statement made in para by the workman is not correct that the workman's name was not included in the 13-3-81 and 13-5-81 seniority list due to Administrative lapse and whims. In fact, the result of screening tests were published on 13-3-85 and the question of appearing workman's name in the seniority list of 13-3-81 and 13-5-81 does not arise.

That, the statement made in para 7 by the workman is not correct and hence denied. It is not correct that the 6 (six) candidates including the workman whose screening result was published on 13-5-85 appeared in the screening test in the year 1978. In fact they had appeared in the year 1978, 1979 and 1985 respectively.

That, the statement made in para 8 & 9 by the workman is not correct and hence denied. The Management begs to state that nothing has been done to deprived any one including workman. The DRM(P)/LMG has correctly showed workman's position in the seniority list which was published on 13-3-85. As per Rule no one claimed seniority from the date of appearing in the screening test instead of the seniority can be claimed from the date of publishing of the screening test.

That, the statement made in para 10 & 11 by the workman is not correct that the workman was selected and empanelled for promotion of Junior Telephone Operator held on 01-11-90 and 14-12-90. In fact the workman was not selected as claimed by him.

That, the statement made in para 14 by the workman is not correct and hence denied. The promotion to J.T.O.

is on selection basis and the workman should submit his application for option of promotion to J.T.O. In fact the workman did not submit his application to the authority for the promotion of J.T.O. Hence the question of placing his seniority correctly does not arise.

The management has prayed for an award in his favour.

The moot question here is : Whether the action of the Management is not effecting seniority of the workman from the date of screening is justified?

Let me now examine as to when the screening in question was done and as to whether the workman is entitled to seniority from the date of screening?

It can not be gain said that for claiming the seniority in a particular cadre of service one must appear in the screening test and he must come out with flying colours. Mere appearance in the screening test does not entitle one to claim seniority. Moreover, the date of seniority from which one can legitimately claim is governed by the established rules of the concerned establishment. Mere length in service and the criteria of entitlement to appear in a screening test does not entitle one to claim seniority. For such a claim he must show that he came out of the screening test with flying colours.

From the written statement of the Management it can be seen that the workman was first appointed as a casual labour @ Rs. 6 per day on 01-02-77 and after completion of six months he was promoted to casual Khalasi @ Rs. 9.82 per day. Again on completion of 2 (two) years of service as Khalasi he was posted as peon in the scale of Rs. 196—232. So he was posted as peon w.e.f. 22-01-79 in the regular cadre.

The workman claims that he appeared in the screening test in 1978 and came out successful. The workman failed to prove this claim by producing any document. The Management's stand is that the workman and 5 others appeared in the screening tests held in 1978, 1979 and 1985 and the results of the screening test held in 1985 was published on 13-03-85. The workman was selected in the test held in 1985 and therefore, he can not claim seniority from 1978.

From another angle of the dispute, it can be viewed which is : How can the Management hold another screening test for filling up the same vacancies without declaring the results of the screening test held earlier? If that was done by the Railways, where was the workman? Why he did not knock the doors of the Courts? Why did he appear in the subsequent screening tests if he was selected in the test held in 1978? So, this being the situation, the claim of the workman is seemed to be doubtful.

From the Exts. 27 it transpires that the workman who appeared in the screening test held on 22-11-90 at Lumding for selection to the post of J.T.O. came out successful but he secured the last position in the merit list.

From Ext. 28 it is seen that the workman could not come out with flying colour in the *viva-voice* test which was held on 14-12-90.

Ext. 29, a letter of the workman to the D.S.T.E., N.F. Railway, Lumding which speaks clearly that the workman though was senior and working as J.T.O. w.e.f. 1-1-81 on *ad-hoc* basis was not selected in the screening test some of his Juniors were selected.

From Ext. 1 it is seen that the workman was first appointed as casual labour on 19-7-74 and thereafter he was appointed as khalasi w.e.f. 1-8-77.

Since, the workman failed to pass in the screening tests held on 22-11-90 and 14-12-90 for filling-up the posts of Jr. T.O. he can not claim for seniority from the date of screening test i.e. 20-2-78. It is not that the workman was deprived of the benefit of seniority for want of minimum length of service but he was probably deprived of the said benefit for his failure to clear the screening test.

The service of the workman as J.T.O. is not yet regularised. He is still working on *ad-hoc* basis. Unless he clears the screening test he can not claim regularisation of his service because length of service can not be the only criteria for promotion. Merit is sine-qua-non for such regularisation.

Seniority can not be claimed in service without some strong allegation of discrimination and bias. The workman failed to show as to how he is victimised.

Let me now examine another aspect of the reference. The reference is question is about the fixation of seniority of the workman from a certain date.

The definition of Industrial Dispute as defined by Sub-section (K) of the Industrial Disputes Act, 1947 does not cover the dispute of the workman as the dispute is an 'individual dispute.' An individual dispute between the workman and his employer can not be raised and referred unless the dispute is espoused by the union of workmen of which the workman is a member. In the case in hand, the dispute is seemed be espoused by the Rail Mazdoor Union. The Management claims that the Rail Mazdoor Union which represents the workman's case is not a recognised union. It is seen from the written statement of the workman and the verification of the written statement that one Amiya Kr. Ganguly has verified the written statement. He claims himself to be the Joint Secretary of the Mazdoor Union. But no official seal is affixed to his signature in the written statement and in the verification. The workman himself has neither verified the written statement nor affixed his signatures on the written statement. The recognised union can only espouse the dispute of the individual workman. It can not raise the dispute for the workman or implead itself as a party to the dispute. Moreover a union of the workers which is not recognised by the employer can not espouse the dispute of a single workman. Hence, the dispute referred is not maintainable and reference is as noted accordingly.

Given under my hand and seal on this the 4th day of Oct., 2005.

B. BORA, Presiding Officer

नई दिल्ली, 16 जनवरी, 2006

का. आ. 517.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, हैदराबाद के पंचाट (संदर्भ संख्या एलसी-112/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-1-2006 को प्राप्त हुआ था।

[सं. एल-12025/1/06-आईआर(बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 16th January, 2006

S.O. 517.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. LC-112/2002) of the Central Government Industrial Tribunal/Labour Court, Hyderabad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 16-1-2006.

[No. L- 12025/1/06-IR(B-I)]

AJAY KUMAR, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT AT HYDERABAD

Present :

Shri T. Ramachandra Reddy,
Presiding Officer

Dated the 19th December, 2005

Industrial Dispute L.C. No. 112/2002

Between :

Smt. V.S. Andamma, W/o Sri K.K. Rajagopal
R/o 13/228, Venkateswara Swamy Temple Street,
Gudur.Petitioner

And

The Assistant General Manager,
State Bank of India, Region II, Tirupathi.Respondent

Appearances :

For the Petitioner : M/s. V. Hari Haran, Advocate
For the Respondent : C. Niranjan Rao, Advocate.

AWARD

This is a claim petition filed under Section 2A 2 of ID Act by the petitioner Smt. Andamma and the same was taken on file in view of the Judgement of the Hon'ble High Court of Andhra Pradesh reported in WP. No. 8395 of 1989 dated 3-8-1995 between Sri U. Chinnappa and M/s. Cotton Corporation of India and two others.

2. The brief facts as mentioned in the petition are: that the petitioner was appointed on temporary basis and

later on regular basis w.e.f. 1974. That she was placed under suspension on 29-4-1989 pending certain charges. Charge-sheet was not issued for more than two years. While the order of suspension is dated 25-4-1989, the charge-sheet was issued to her on 7-1-1991. On this ground alone, the charge-sheet has to be quashed. As no reasons forthcoming from the bank for the inordinate delay in issuing the charge-sheet. The callousness in which she was treated is further aggravated by the fact that the authority issued an amended charge sheet on 7-2-1991. By proceedings dated 16-1-1992 an enquiry officer was appointed even before the amended charge-sheet was issued to her on 7-2-1992 and it was in a much hurry. The petitioner was shocked when only 15 days time was given to her. That the actual enquiry proceedings took 3 years to begin. She submitted medical certificate on 6-3-1992 that she was suffering from oys functional uterine bleeding. The enquiry was adjourned to 24-4-1992 to 28-5-1992. She was terminally ill and could not attend the hearings and all the evidences were recorded behind her back within a period of 6 months. In fact she has filed a Writ Petition No. 21596/93 in order to prove that it was an exparte enquiry, thereby reducing it to a farce. She filed a representation on 17-9-1992 to permit her to be defended by a lawyer even the said petition was pending the enquiry was completed. Hence, the enquiry is farce and the petitioner's request by a letter dated 21-11-1992 to reopen the enquiry, in spite of that she was not given an opportunity, that the Hon'ble High Court of A.P., by a order dated 13-10-1993 held that as the enquiry is conducted exparte without given any opportunity to the petitioner, the petitioner could raise all the objections including the grounds raised in the show-cause notice. And the bank should afford opportunity to the petitioner of being heard and then passed an appropriate speaking order. The Hon'ble High Court of A.P. Directed the petitioner to reply to the show-cause notice within one month from the date of receipt of the order and that the respondent shall dispose of the proceedings one month thereafter. Accordingly, she submitted her explanation to the second show-cause notice and also request for personal hearing. A personal hearing was conducted on 24-6-1998 and that proceedings dated 19-8-1998 confirmed the punishment of dismissal of the petitioner. Hence, the enquiry is not validly conducted.

3. The respondent bank filed its counter and denied the averments made in the petition and pleaded that the petitioner while working at Gudur branch as Clerk had created several loan documents on recurring deposit accounts and got sanctioned the loans and received the money taking advantage of her position in the bank. Some of the customers verified their accounts and found that there were loans on their accounts and lodged complaint to the Branch Manager, Gudur on which the petitioner was suspended on 25-4-1989. The matter was referred to Vigilance department for thorough investigations to identify the officials connected with the fraud and the vigilance department have taken sufficient time for investigation into the matter. As such, there is a delay in appointing the Enquiry Officer for framing the charges against the petitioner. The Enquiry Officer has duly conducted the

enquiry by giving an ample opportunity to the petitioner by observing the principles of natural justice and concluded that all the charges framed against the petitioner are proved. The Disciplinary Authority concurring with the findings of the Enquiry Officer and proposed the punishment of dismissal by issuing show-cause notice dated 13-10-1993. The petitioner filed a Writ Petition on the file of Hon'ble High Court challenging the show-cause notice and the Hon'ble High Court held in its order dated 28-3-1998 that the enquiry was conducted in accordance with the principles of natural justice. However, it has directed the Disciplinary Authority to give an opportunity to the petitioner to raise all the objections to the second show-cause notice. Accordingly, the petitioner was given an opportunity to reply to the show-cause notice and also a personal hearing and passed orders of dismissal.

4. This tribunal has held on 14-2-2005 that the domestic enquiry held by the respondent is proper and valid.

5. It should be noted that when the domestic enquiry was held valid, this Tribunal cannot interfere with the findings arrived at by the Enquiry Officer except in few cases where the finding of the Enquiry Officer was perverse or malafide or the management is the guilty of victimization. This Tribunal has to decide on the basis of material on record the said points and also whether the punishment of dismissal was disproportionate to the gravity of the charges.

6. In the present case, the Enquiry Officer was appointed to conduct into the alleged Fraud and manipulation of records regarding obtaining loans. The Enquiry Officer framed eight charges and served on the petitioner. The Enquiry Officer examined 27 witnesses and considered several documents and held that all the charges against the petitioner was proved. The petitioner was given an ample opportunity to defend herself during the enquiry. The Enquiry Officer has discussed the evidence giving reasons for his conclusions in respect of each charge. On considering the enquiry report, I do not see any perversity in his conclusions and that there is no malafide or victimization. As such, this Tribunal cannot interfere with the findings of the Enquiry Officer. The next question arises for consideration is whether the punishment of dismissal is disproportionate to the gravity of the charges. The charges against the petitioner are that the petitioner while attending the section of recurring deposit account and sundry loans, she has prepared loan documents prevailed upon the officers concerned for the sanction on the pretext of extending customer service and withdrawn the amounts without knowledge of the account holders. The petitioner has created several loans against several customers who are having recurring deposit accounts and withdrawn the amount and misappropriated which amounts to gross misconduct. The charges made against the petitioner are very grave and the punishment of dismissal cannot be said to be disproportionate. Further, I do not find any mitigating circumstances which requires for the reduction of the punishment.

7. In view of the circumstances, the petition is dismissed.

Dictated to Shri P. Kanaka Raju, LDC transcribed by him, corrected by me and given under my hand and seal of this Court on this the 19th December, 2005.

T. RAMACHANDRA REDDY, Presiding Officer

Appendix of evidence

No documentary or oral evidence adduced on either side.

नई दिल्ली, 16 जनवरी, 2006

का.आ. 518.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार चै. एक्स सर्विसमेन्स एअरलिंक ट्रांसपोर्ट सर्विसेज लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, मुम्बई-II के पंचाट (संदर्भ संख्या 33/2005) को प्रकाशित करती है, जो केन्द्रीय सरकार को 16-1-2006 को प्राप्त हुआ था।

[सं. एल-11012/20/04-आईआर(सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 16th January, 2006

S.O. 518.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government here by publishes the award (Ref. No.33/2005) of the Central Government Industrial Tribunal/Labour Court Mumbai-II now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Ex-Servicemen's Airlink Transport Services Ltd. and their workman, which was received by the Central Government on 16-1-2006.

[No. L- 11012/20/04-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 2 AT MUMBAI

PRESENT:

B. I. KAZI, Presiding Officer

REFERENCE No. CGIT/33 of 2005

Employers in relation to the management of M/s.
Ex-servicemen's Airlink Transport Services Limited

AND

Their Workmen

APPEARANCES:

For the employer : No appearance
For the workman : No appearance

Mumbai, dated 6th December, 2005

AWARD

The Government of India, Ministry of Labour, New Delhi, by its Order No. L-11012/20/2004-IR(C-1) dated 15-12-2004 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication :—

SCHEDULE

“Whether the action of the management of M/s. Ex-servicemen's Airlink Transport Services Ltd., Mumbai (in the establishment of Air India Ltd.) vide notice of change dated 19-02-2004 as per provisions of Section 9-A of the Industrial Disputes Act, intending to effect the change from two days' weekly off to one day weekly off in respect of driver staff is legal and justified? If not, to what relief are the workmen concerned entitled and what directions are necessary in this regard?”

2. On receipt of Order of Reference from Government, notices were issued to both parties (Ex.2). Both parties were served. (Ex.3 & 4). The matter was adjourned from time to time for filing Statement of Claim. Management was present from time to time However, Union remained absent throughout. Ex-parte notice was therefore issued for filing Statement of Claim by the Union on 01-12-2005 (Ex.7). The said Ex-parte notice was duly served on the Union (Ex.9). However, the Union failed to remain present on 01-12-2005. Union also did not file its Statement of Claim till date. From the conduct of the Union, it can be said that the Union is not interested in contesting the matter and therefore in spite of service failed to attend.

3. In the circumstances the Reference needs to be disposed of for default. Hence the order.

ORDER

Reference stands disposed of for default.

B. I. KAZI, Presiding Officer